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Transcript of Gavin Grimm

Date: October 19, 2018

Case: Grimm- v- Gloucester County School Board

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Phone: 888.433.3767

Email: transcripts@planetdepos.com

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Transcript of Gavin Grimm
Conducted on October 19, 2018

1 (1 to 4)

<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF VIRGINIA</p> <p>3 NEWPORT NEWS DIVISION</p> <p>4</p> <p>5 - - - - - x</p> <p>6 GAVIN GRIMM, :</p> <p>7 Plaintiff, :</p> <p>8 v. : Case No.</p> <p>9 GLOUCESTER COUNTY SCHOOL : 4:15-cv-54</p> <p>10 BOARD, :</p> <p>11 Defendant. :</p> <p>12 - - - - - x</p> <p>13</p> <p>14 Deposition of GAVIN GRIMM</p> <p>15 Richmond, Virginia</p> <p>16 Friday, October 19, 2018</p> <p>17 9:40 a.m.</p> <p>18</p> <p>19</p> <p>20 Job No.: 207940</p> <p>21 Pages: 1 - 177</p> <p>22 Reported By: Leslie D. Etheredge, RMR, CCR</p>	<p>3</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 ON BEHALF OF THE PLAINTIFF:</p> <p>4 JOSHUA A. BLOCK, ESQUIRE</p> <p>5 SHAYNA MEDLEY-WARSOFF, ESQUIRE</p> <p>6 AMERICAN CIVIL LIBERTIES UNION</p> <p>7 125 Broad Street, 18th Floor</p> <p>8 New York, New York 10004</p> <p>9 212.549.2627</p> <p>10 and</p> <p>11 EDEN HEILMAN, ESQUIRE</p> <p>12 NICOLE TORTORIELLO, ESQUIRE</p> <p>13 JENNIFER SAFSTROM</p> <p>14 ACLU OF VIRGINIA</p> <p>15 701 East Franklin Street, Suite 1412</p> <p>16 Richmond, Virginia 23219</p> <p>17 804.523.2157</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p>2</p> <p>1 Deposition of GAVIN GRIMM, held at the</p> <p>2 offices of:</p> <p>3</p> <p>4 ACLU OF VIRGINIA</p> <p>5 701 East Franklin Street, Suite 1412</p> <p>6 Richmond, Virginia 23219</p> <p>7 804.523.2157</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12 Pursuant to Notice, before Leslie D.</p> <p>13 Etheredge, Registered Merit Reporter, Certified</p> <p>14 Court Reporter and Notary Public in and for the</p> <p>15 Commonwealth of Virginia.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p>4</p> <p>1 ON BEHALF OF THE DEFENDANT:</p> <p>2 DAVID P. CORRIGAN, ESQUIRE</p> <p>3 HARMAN, CLAYTOR, CORRIGAN & WELLMAN</p> <p>4 4951 Lake Brook Drive, Suite 100</p> <p>5 Glen Allen, Virginia 23060</p> <p>6 804.747.5200</p> <p>7</p> <p>8</p> <p>9 ALSO PRESENT:</p> <p>10 Tracey R. Dunlap, VML Insurance Programs</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>

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2 (5 to 8)

5	7
1 C O N T E N T S	1 A Yes, sir.
2 EXAMINATION OF GAVIN GRIMM PAGE	2 Q Second one, you just did it, let me finish
3 BY MR. CORRIGAN 6	3 before you start, I will let you finish before I
4 BY MR. BLOCK 168	4 start, so we are not speaking at the same time, so
5 BY MR. CORRIGAN 172	5 the court reporter can get everything down. Okay?
6	6 A Yes, sir.
7	7 Q Thank you. What is your current address?
8	8 A 20047 Stanton Avenue, Castro Valley,
9	9 California.
10 E X H I B I T S	10 Q It doesn't matter. The zip doesn't
11 (Attached to transcript)	11 matter.
12 GAVIN GRIMM DEPOSITION EXHIBITS PAGE	12 A Okay.
13 Exhibit 1 October 28, 2014 email 92	13 Q And who do you live with there?
14 from Amy Bergh	14 A Three housemates.
15	15 Q How long have you lived there?
16	16 A Approximately 2 months.
17	17 Q Where were you living before that?
18	18 A Berkeley, California.
19	19 Q Do you remember the address?
20	20 A 1709 Shattuck Avenue.
21	21 Q S-H --
22	22 A A-T-T-U-C-K.
6	8
1 P R O C E E D I N G S	1 Q Okay.
2 Whereupon,	2 A And that is Berkley, California.
3 GAVIN GRIMM,	3 Q Who did you live with there?
4 being first duly sworn to testify to the truth,	4 A I lived at varying times with different
5 the whole truth, and nothing but the truth, was	5 roommates and on my own.
6 examined and testified as follows:	6 Q Is that a house, a freestanding house?
7 EXAMINATION BY COUNSEL FOR THE DEFENDANT	7 A It is an apartment complex.
8 BY MR. CORRIGAN:	8 Q Okay. How many bedroom apartment was
9 Q Would you state your full name, please.	9 yours?
10 A Gavin Grimm.	10 A One. Yes, one.
11 Q No middle name?	11 Q Before the Shattuck Avenue address in
12 A Sorry. Gavin Elliot Grimm.	12 Berkley, where did you live?
13 Q E-L-L-I-O-T-T?	13 A Gloucester, Virginia.
14 A O-T.	14 (Interruption at the door and discussion
15 Q One T. Okay. Gavin, we have met before.	15 held off the record.)
16 I am going to be asking you questions related to	16 Q What was the address in Gloucester?
17 this lawsuit, and, typically, in a situation like	17 A 3624 Foxhaven Drive, Gloucester, Virginia.
18 this, I like to lay out two rules, which I think	18 Q Who did you live with there?
19 you have already gone over with your counsel.	19 A My brother, father and brother.
20 The first one is, if your answer is yes or	20 Q Their names?
21 no, please say yes or no and not uh-huh, huh-uh,	21 A David, my father; Deirdre, my mother; and
22 or shake and nod your head. Fair enough?	22 David, my brother.

<p>9</p> <p>1 Q And how long did y'all live at that 2 particular address? 3 A From birth until moving to California. 4 Q What is your date of birth? 5 A 5/4/1999. 6 Q Are you currently employed? 7 A I am not on an official payroll, I do some 8 freelance activism. 9 Q So what does that mean? What is freelance 10 activism? 11 A I may be invited to speak at a college or 12 at a conference, and sometimes there is monetary 13 compensation. 14 Q What determines whether there is monetary 15 compensation? 16 A The ability of the requester. 17 Q So give me an example of what you are 18 talking about. 19 A For example, should a middle school invite 20 me to talk to their GSA, I would never ask for 21 financial compensation, but should I go to a more 22 professional event, which would probably have a</p>	<p>11</p> <p>1 A No. 2 Q Where have you been? 3 A Most recently, it was somewhere on the 4 East Coast, Philadelphia. Virginia at one point. 5 Beyond that, I can't recall any more individual 6 states. 7 Q Where in Virginia? 8 A I believe it was -- Actually, I don't 9 recall well enough to say with certainty. 10 Q Okay. Do you remember where you flew into 11 or where you -- how you traveled? 12 A I traveled by plane. It was not -- I 13 recall it was not close enough that it would have 14 been possible to visit home so it was probably -- 15 well, in fact, pardon me. I won't speculate. 16 Q Okay. 17 A I just recall that I have been to Virginia 18 for business since moving to California. 19 Q Where did you fly into when you did 20 business in Virginia? 21 A I can't recall. 22 Q You don't remember whether it was Reagan</p>
<p>10</p> <p>1 larger budget, they may -- pardon me -- they may 2 offer me some kind of compensation. 3 Q What is the range of compensation, when 4 you are compensated, for your freelance activism? 5 A It is hugely variable, anywhere from 50 6 dollars to more than that. 7 Q 50 up to what? 8 A I -- sorry. I am trying to accurately 9 recall it. 10 Q Sure. If it is a ball park, I -- 11 A A ball park of like a thousand dollars. 12 Q Okay. 13 A It is not frequently more than that or 14 even that. 15 Q Okay. How often are you engaged in 16 freelance activism? 17 A I would say average a fee times a month, a 18 few times a month. Sometimes more often, 19 sometimes less. 20 Q Since you have been in California, has 21 your freelance activism been restricted to 22 California?</p>	<p>12</p> <p>1 or Dulles or Richmond? 2 A I really don't recall, sir. 3 Q Okay. Are you currently in school? 4 A Yes, sir. 5 Q Where are you attending? 6 A Berkley City College. 7 Q Until you said that yesterday, I had never 8 heard of Berkley City College. Is that part of 9 the state community college system or is it a 10 local private school? 11 A It is a community college. 12 Q Okay. How long have you been going there? 13 A Since -- since the start of this current 14 semester, I don't recall what month it began. 15 Q So September or August, fall semester kind 16 of thing? 17 A Yes, sir. 18 Q Okay. Before attending Berkley City 19 College, did you attend any other college? 20 A No. 21 Q From the time -- when did you leave 22 Gloucester approximately?</p>

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4 (13 to 16)

<p>13</p> <p>1 A January of this year.</p> <p>2 Q 2018?</p> <p>3 A Yes, sir.</p> <p>4 Q You graduated Gloucester High School June</p> <p>5 of 2017.</p> <p>6 A Yes, sir.</p> <p>7 Q Is that correct? What did you do from</p> <p>8 June of 2017 until January of 2018, when you moved</p> <p>9 to California? When I say what did you do, were</p> <p>10 you working, were you going to school?</p> <p>11 Let me ask you this. Were you living at</p> <p>12 home?</p> <p>13 A Yes.</p> <p>14 Q So what were you doing in terms of work or</p> <p>15 anything like that?</p> <p>16 A I was not working, I was also not in</p> <p>17 school.</p> <p>18 Q So what were you spending your time doing?</p> <p>19 A I suppose -- well, rather, I won't</p> <p>20 suppose. I -- I spent time with friends or stayed</p> <p>21 around the house.</p> <p>22 Q Your brother is a twin; is that right?</p>	<p>15</p> <p>1 Q Tell me which schools you attended</p> <p>2 starting as soon as you went to school.</p> <p>3 A I do not recall the pre-K institutions I</p> <p>4 went to; however, I started public school in</p> <p>5 Bethel Elementary, I then went to Peasley Middle</p> <p>6 School, and then Gloucester High School.</p> <p>7 Q Peasley is P-E --</p> <p>8 A A-S-L-E-Y.</p> <p>9 Q So elementary was K to?</p> <p>10 A 5.</p> <p>11 Q 5, and middle was 6 to 8?</p> <p>12 A Yes, sir.</p> <p>13 Q Gloucester High School was 9 to 12?</p> <p>14 A Yes.</p> <p>15 Q Was your brother in your class, not in the</p> <p>16 actual classes, but in the same grade as you</p> <p>17 throughout?</p> <p>18 A Yes.</p> <p>19 Q Did he also graduate?</p> <p>20 A Yes.</p> <p>21 Q All right. Let's go to the elementary</p> <p>22 school. At any time when you were in the</p>
<p>14</p> <p>1 A Yes, sir.</p> <p>2 Q And the full family is your mom, your dad,</p> <p>3 your brother and you?</p> <p>4 A In the household?</p> <p>5 Q Yes.</p> <p>6 A Yes, sir.</p> <p>7 Q Are there other family members?</p> <p>8 A There are extended family members, which</p> <p>9 are not directly involved with my current family</p> <p>10 life.</p> <p>11 Q Okay. Are there any of the others blood</p> <p>12 siblings or parents?</p> <p>13 A I have three blood half-siblings.</p> <p>14 Q Okay. The half-siblings are the children</p> <p>15 of your mom or your dad?</p> <p>16 A Two of them are children of my father and</p> <p>17 one of them is a child of my mother.</p> <p>18 Q Are they in the Gloucester area, the</p> <p>19 children, your half-siblings?</p> <p>20 A I do not know the whereabouts of either on</p> <p>21 my father's side; however, the half sibling on my</p> <p>22 mother's side lives not in the Gloucester area.</p>	<p>16</p> <p>1 elementary school, at Bethel Elementary, did you</p> <p>2 have -- I want to use the right terms and not in</p> <p>3 any way sound like I am trying to be difficult;</p> <p>4 but during that time, from kindergarten through</p> <p>5 5th grade, did you at any time have the beginnings</p> <p>6 of what you now perceive to be gender identity</p> <p>7 issues?</p> <p>8 A Absolutely.</p> <p>9 Q Just tell me about that. When did that</p> <p>10 first start? When do you first have any</p> <p>11 recollection of thinking or believing or feeling</p> <p>12 like you were male and not female?</p> <p>13 A I believe myself to be a boy in my</p> <p>14 internal dialogue until the point that I recognize</p> <p>15 that there were -- that society perceives larger</p> <p>16 differences between men and women, I suppose more</p> <p>17 accurately when I entered school age and</p> <p>18 recognized that men and women have different</p> <p>19 expected societal roles.</p> <p>20 At that point I had an understanding that</p> <p>21 the one assigned to myself, of course, the female</p> <p>22 social and physical role, was inaccurate; however,</p>

<p style="text-align: right;">17</p> <p>1 I did not have the language at that time to 2 vocalize those feelings. 3 Q If I can try to express what you just 4 said, is it true that before you went to school, 5 you were not aware one way or the other, it was 6 like when you went to school is when it kind of 7 became I see, girls are one way, boys are 8 different, boys are treated differently? 9 A Not -- not exactly. If I can -- I 10 understood myself to be a boy in the sense that my 11 internal self-perception was that way in the sense 12 that the male cartoon characters, you know, that I 13 idolized, I felt that I was, you know, like them 14 in the sense of gender; however, when I hit an age 15 where social gender expectations came into play, I 16 recognized that other people perceived me as a 17 girl. 18 Q When was it that you first realized that 19 others perceive you as a girl? 20 A That would have been when I entered 21 school. 22 Q As we sit here today and you look back on</p>	<p style="text-align: right;">19</p> <p>1 father told me I could no longer go over to his 2 house, whereas my brother could, the reason being 3 I was, in his opinion, at the time a girl. 4 So examples like that. When I wanted to 5 do sports -- 6 Q Let me interrupt you for a second. 7 A Yes, sir. 8 Q That specific occasion, when your father 9 said you can't go to the friend's house but your 10 brother can, how old were you? 11 A I was between 6 and 8. Well, I was 12 probably 8. I don't imagine they would have 13 allowed me to walk that far when I was 6, so 14 around 8. 15 Q What was your understanding of the reason 16 that you couldn't go and your brother could? 17 A I don't think I had a good understanding 18 of why that was a reasonable declaration. 19 Q Yes. 20 A However, I do -- 21 Q With regards to whether it was reasonable, 22 what was the reason?</p>
<p style="text-align: right;">18</p> <p>1 it, do you say -- I mean a moment, was there a 2 moment when a teacher said something or somebody 3 said something and you went she thinks I am a 4 girl? 5 A There were points in my childhood where I 6 would request to do something and get -- 7 Gloucester is a socially conservative place, so 8 there were points in time, when I was younger, 9 where I would request to do something or show an 10 interest in doing something, which was 11 traditionally reserved for boys, and would be 12 refused, rejected, and at that point that was the 13 point in which I realized there were differences 14 and that I was assumed to be on sort of the wrong 15 side of the line there. 16 Q Let me ask you this. What specific 17 refusals or rejections are you referring to? I 18 mean what are we talking about? 19 A On one occasion, I wanted to walk down to 20 my friend's house, who was a 5-minute walk away on 21 the same street, he and I -- he -- he, myself and 22 my brother were all friends, and at one point my</p>	<p style="text-align: right;">20</p> <p>1 A Well, pardon. What I was saying, I 2 suppose, is I was not given a reason, it was -- it 3 was just that I was not allowed to and my brother 4 was. 5 Q And this was your father? 6 A Yes. 7 Q So that's one example of a refusal or 8 denial. What were the others? 9 A The most pertinent additional memory that 10 I have is when I wanted to play baseball and my 11 only options were softball on a female team, and 12 that caused me so much distress that, despite 13 already having bought a mitt and a ball, I did not 14 actually enter the sport. 15 Q How old were you at that point? Again, 16 approximately. 17 A Approximately 10. 18 Q It was little league? 19 A Oh, I don't recall. 20 Q Did your brother play baseball? 21 A I don't recall. I don't recall. 22 Q Did your brother play athletics as a child</p>

<p style="text-align: right;">21</p> <p>1 or after childhood into high school and things?</p> <p>2 A My brother -- Growing up, we both did tee</p> <p>3 ball and he went on to play football later.</p> <p>4 Q How far did he go in playing football?</p> <p>5 A There is a league, the Gloucester Knights,</p> <p>6 I believe, and he went up until the point of</p> <p>7 beginning high school, I believe, that was when he</p> <p>8 stopped playing football.</p> <p>9 Q Okay. Did you ever express an interest in</p> <p>10 playing football?</p> <p>11 A Absolutely.</p> <p>12 Q And what happened?</p> <p>13 A I was told I could not.</p> <p>14 Q And who told you that?</p> <p>15 A Both of my parents at the time.</p> <p>16 Q Did they tell you why?</p> <p>17 A They said it was because I was a girl.</p> <p>18 Q Any other examples of refusals or denials,</p> <p>19 because of your perceived being female, that you</p> <p>20 can think of besides we have talked about walking</p> <p>21 to your friend's house, we have talked about</p> <p>22 baseball versus softball and deciding not to play,</p>	<p style="text-align: right;">23</p> <p>1 peers and family members.</p> <p>2 Q Did that family members include your mom</p> <p>3 and dad?</p> <p>4 A My father, however, the other family</p> <p>5 members are extended -- estranged family.</p> <p>6 Q Okay. So your father did tell you you</p> <p>7 shouldn't wear your hair short like that?</p> <p>8 A Yes.</p> <p>9 Q Did your mother say that?</p> <p>10 A My mother was not excited about the</p> <p>11 haircut, but she supported it.</p> <p>12 Q How about your brother?</p> <p>13 A He didn't -- we didn't -- he didn't have</p> <p>14 an expression one way or the other that I recall.</p> <p>15 Q What about the clothing, wearing what you</p> <p>16 described as boys' clothes. Who expressed to you</p> <p>17 that you shouldn't be wearing boys' clothes? Did</p> <p>18 your father?</p> <p>19 A My father and then my mother was perhaps</p> <p>20 the primary person, as she was the one that would</p> <p>21 most often take me clothes shopping.</p> <p>22 Q So you would be shopping with her and you</p>
<p style="text-align: right;">22</p> <p>1 we have talked about not playing football.</p> <p>2 A Can you clarify what time frame we are</p> <p>3 looking at with this?</p> <p>4 Q Any time.</p> <p>5 A Any time. There are. There are quite a</p> <p>6 few instances where, once I cut my hair short, I</p> <p>7 was 12, I was told that it was not a style</p> <p>8 appropriate for me. All throughout my childhood,</p> <p>9 I would request boys' clothing and was told that</p> <p>10 that was also not appropriate for me. Eventually,</p> <p>11 I began to wear boys' clothing and was, of course,</p> <p>12 told it was not appropriate for me, so I would say</p> <p>13 that consistently throughout my life, I have</p> <p>14 expressed masculinity and have been told that it</p> <p>15 was inappropriate for the gender that I was</p> <p>16 perceived as at the time.</p> <p>17 Q All right. Let's talk about those. You</p> <p>18 mentioned specifically your haircut. Who told you</p> <p>19 it was not appropriate for you?</p> <p>20 A People in -- people that I interacted</p> <p>21 with. I could not recall individual names, I just</p> <p>22 do recall that there were many comments, mostly</p>	<p style="text-align: right;">24</p> <p>1 would be saying I want these, and she'd say no,</p> <p>2 you can't have those, you have to get these other</p> <p>3 ones?</p> <p>4 A Yes.</p> <p>5 Q Okay. So did you end up buying what you</p> <p>6 perceived to be girls' clothes instead of boys'</p> <p>7 clothes?</p> <p>8 A When I was younger and had a lesser degree</p> <p>9 of control over what I was wearing, I conceded</p> <p>10 more often than not; however, as soon as I was old</p> <p>11 enough to know how to argue with my parents, I</p> <p>12 was, you know, fighting for the boys' aisle.</p> <p>13 Q Once you started fighting for the boys'</p> <p>14 aisle, did they eventually give in and let you</p> <p>15 wear boys' clothes?</p> <p>16 A They did.</p> <p>17 Q When was that approximately?</p> <p>18 A I have been wearing pretty much</p> <p>19 exclusive -- well, I have been wearing exclusively</p> <p>20 clothes from the boys' section since I was 11 or</p> <p>21 12.</p> <p>22 Q So that's approximately when you learned</p>

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7 (25 to 28)

<p style="text-align: right;">25</p> <p>1 how to argue with your parents?</p> <p>2 A Well, no. I argued far before that.</p> <p>3 Q But you got better at it?</p> <p>4 A Yes, I would say so.</p> <p>5 Q Okay. Let's talk about your friends</p> <p>6 during the same time frame, and let's go to just</p> <p>7 around age 11 or 12, when you are now -- I mean</p> <p>8 tell me if I am wrong, you are not presenting</p> <p>9 yourself more as a boy than a girl. Is that true</p> <p>10 or not?</p> <p>11 A Everyone still understood -- everyone</p> <p>12 still assumed that I was a girl, I had not at that</p> <p>13 time discovered the word transgender and how that</p> <p>14 related to who I was. However, outwardly, I did</p> <p>15 present very masculinely, and that was not</p> <p>16 something that was unnoticed by peers and friends.</p> <p>17 Q And in that time frame, age 11 to 12,</p> <p>18 what -- when you say it was noticeable, what</p> <p>19 notice -- what awareness did you have of the</p> <p>20 notice that people were taking?</p> <p>21 A Well, I was bullied pretty seriously in --</p> <p>22 throughout all of my school career, but elementary</p>	<p style="text-align: right;">27</p> <p>1 Q Okay. K through 5, those things occurred?</p> <p>2 A Absolutely.</p> <p>3 Q 6 through 8, that occurred?</p> <p>4 A Absolutely.</p> <p>5 Q 9 through 12, those things occurred?</p> <p>6 A Absolutely.</p> <p>7 Q What would be the frequency you would say</p> <p>8 with which those things occurred?</p> <p>9 A In high school, I would say -- pardon. I</p> <p>10 would say -- I mean I would say it was pretty</p> <p>11 consistent. I had probably a daily event that</p> <p>12 made me feel unsafe or unhappy, at least one thing</p> <p>13 would happen pretty consistently, minor to major,</p> <p>14 so the frequency was high.</p> <p>15 Q K through 5, 6 through 8, 9 through 12,</p> <p>16 every day --</p> <p>17 A Yes.</p> <p>18 Q -- something happened?</p> <p>19 A Yes.</p> <p>20 Q Okay.</p> <p>21 A And to clarify -- pardon me. I'm sorry.</p> <p>22 Q No. That's fine.</p>
<p style="text-align: right;">26</p> <p>1 and middle including. Part of this bullying was</p> <p>2 centered around the fact that I was not</p> <p>3 traditionally feminine.</p> <p>4 Q The word bullying can cover a broad range</p> <p>5 of activities, depending on the -- I am sure there</p> <p>6 is a definition but there is also perceptions.</p> <p>7 What did you consider to be bullying?</p> <p>8 What bullying occurred?</p> <p>9 A People threw things at me, people called</p> <p>10 me horrible names, people would refuse to sit near</p> <p>11 me, people would exclude me from activities.</p> <p>12 Q Now, these people that you are talking</p> <p>13 about, are those your peers?</p> <p>14 A Yes.</p> <p>15 Q Members of your age group?</p> <p>16 A Yes.</p> <p>17 Q Where would these things occur?</p> <p>18 A Primarily in school.</p> <p>19 Q What ages did this activity occur, like</p> <p>20 what grades?</p> <p>21 A Yes, sir. I have been bullied my entire</p> <p>22 school career, so all of them.</p>	<p style="text-align: right;">28</p> <p>1 A That it was not necessarily that a major</p> <p>2 event would happen every day, but there was</p> <p>3 something that made me feel unsafe or -- or</p> <p>4 disliked for sure every day.</p> <p>5 Q So let's talk about major. What would you</p> <p>6 perceive as major in the area of bullying?</p> <p>7 A Well, when I -- I would say major would be</p> <p>8 either an example where I have had something</p> <p>9 thrown at me or a particularly public bout of</p> <p>10 ridicule or cases where a group would ridicule me</p> <p>11 publicly or perhaps a case where a chair was</p> <p>12 pulled out from under me. Those are examples that</p> <p>13 I can recall of things I consider more serious.</p> <p>14 Q And how about what would be something that</p> <p>15 was not major, that was minor, and yet made you</p> <p>16 feel, as you said, unsafe or disliked?</p> <p>17 A I was -- I was called names with such</p> <p>18 frequency that I would consider an insult a minor</p> <p>19 thing. I could expect to be called some kind of</p> <p>20 unkind name at least once or twice a day in</p> <p>21 school.</p> <p>22 Q What kind of names? Look, I am sorry I am</p>

<p style="text-align: right;">29</p> <p>1 asking you all these questions. I think it is all 2 relevant, and so that's why I am asking the 3 questions. 4 A Okay. 5 Q So what kind of names? 6 A Faggot, dike, homo, weirdo, references to 7 my weight. 8 Q Did you feel like there was any particular 9 group of people who were the ones more likely to 10 pick on you? I mean was it more boys than girls 11 who were picking on you, was it more -- and, you 12 know, we all went to high school, jocks versus 13 whoever, or did you feel like it was any -- any 14 identifiable group of people? 15 A I wouldn't know those people personally 16 enough to identify with groups they belong to. 17 Q So these are people that you don't 18 actually know? 19 A Well, I went to school with them. They 20 weren't my friends. 21 Q Right. So let's go in the other 22 direction. In K through 5, did you have friends?</p>	<p style="text-align: right;">31</p> <p>1 helped them associate with you? 2 A I had friends that were friends of mine 3 because our mothers were close, I didn't really 4 have personal friends, people that I bonded with 5 like organically and could spend time with. 6 Q But, in high school, these people actually 7 were your friends? 8 A Yes. 9 Q Okay. Can you tell me who those people 10 were? 11 A Do you need first and last names? 12 Q I would like first and last names, but if 13 you know them, sure. 14 A Evelyn Hronec. 15 Q Help me with Hronec. 16 A H-R-O-N-E-C. Olivia Pohorence, 17 P-O-H-O-R-E-N-C-E. Camille Gibson. 18 Q C-A-M-M-I-L-E? 19 A L-L. C-A-M-I-L-L-E. 20 Q That's what I wrote, it is not what I 21 said. 22 A And then Gibson.</p>
<p style="text-align: right;">30</p> <p>1 A Very few. 2 Q How about middle school? 3 A Also very few. 4 Q How about high school? 5 A I had a very strong core group of friends 6 in high school. 7 Q In elementary school, were you and your 8 brother -- would you consider you and your brother 9 to be friends? 10 A No. 11 Q Middle school? 12 A No. 13 Q High school? 14 A No. 15 Q I might focus on the high school, but let 16 me just ask you about the elementary and middle 17 school. Did you -- I mean who were your friends? 18 How were -- how did you become -- The few friends 19 that you had, how did you feel like that worked, 20 that you became friends with those people? 21 Was there any particular activity or thing 22 that kind of helped you associate with them and</p>	<p style="text-align: right;">32</p> <p>1 Q Right. 2 A Alec Earwood, E-A-R-W-O-O-D. Caroline 3 Cox, that is just C-O-X. And I think that -- that 4 is sufficient for my core group. 5 Q That's the core group? 6 A Yes, sir. 7 Q How about in terms of the people at the 8 school, were there any people at the school that 9 you felt like were your supporters and people -- 10 in particular, I am asking about the high school. 11 A In terms of staff or students? 12 Q I am asking about staff and faculty now 13 that were supporters of yours. 14 A Supporters of mine in what way? 15 Q Just personally, like you felt like they 16 were there to help you and supported you in terms 17 of whatever you were going through. 18 A Yes, I felt that there were a few staff 19 that were -- that served that role. 20 Q Who were they? 21 A The nurses. 22 Q Names?</p>

<p>33</p> <p>1 A I am trying to recall. Beverly Sabourin 2 and Niki -- I just knew her as Miss Niki. The 3 three librarians as well, whose names escape me at 4 the moment.</p> <p>5 And although I don't recall names, I do 6 recall that the office staff were always friendly 7 and kind, the women at the front desk.</p> <p>8 Q What about the counselors and the 9 counseling staff?</p> <p>10 A I would say Matthew Board would be one 11 person who I felt was a kind resource.</p> <p>12 Q Who was assigned -- Who were you assigned 13 to or was assigned to you, freshman, sophomore, 14 junior, senior year?</p> <p>15 A I don't really recall.</p> <p>16 Q For sure, we know Tiffany Durr, sophomore 17 year; right?</p> <p>18 A Yes, but I do not recall for the other 19 years.</p> <p>20 Q Somebody named Neblett?</p> <p>21 A John Neblett?</p> <p>22 Q Yes. Was he ever your counselor?</p>	<p>35</p> <p>1 having conversations, her being supportive, 2 nonsupportive, helpful, not helpful, or how did 3 you perceive things between you and her during 4 that sophomore year, when she was, according to 5 her, assigned to you?</p> <p>6 A I don't ever recall her being malicious; 7 however, I also cannot recall any individual 8 conversations that we had.</p> <p>9 Q So would you say it was neutral, or would 10 you say it was unhelpful or just kind of just 11 really nothing?</p> <p>12 A I would say that I don't recall.</p> <p>13 Q Okay. Let's go to the specific 14 conversation at the start of sophomore year, which 15 you mentioned you and your mom and Miss Durr. 16 What do you recall about that?</p> <p>17 A I recall that my mother and I approached 18 her and informed her that I am a boy and my name 19 is Gavin and had a discussion about what that 20 meant for starting the school year.</p> <p>21 Q What do you recall about the discussion, 22 what was said?</p>
<p>34</p> <p>1 A I don't recall. I recall having spoken to 2 him but not about what or why.</p> <p>3 Q How about your senior year, did anybody 4 talk to you about going to college or where you 5 were going to college or, you know, any type of 6 counseling-type role like that?</p> <p>7 A I really -- I don't recall.</p> <p>8 Q With respect to Miss Durr, what do you 9 recall in terms of any interactions you had with 10 her?</p> <p>11 A I really don't. I just recall that we had 12 spoken at various points. Oh, may I correct 13 myself?</p> <p>14 Q Yes.</p> <p>15 A Miss --</p> <p>16 Q You can always correct yourself, just so 17 you know.</p> <p>18 A Miss Durr was the person that my mother 19 and I contacted ahead of beginning sophomore year.</p> <p>20 Q Right. I was going to talk to you about 21 that, and we will talk in detail about that.</p> <p>22 Other than that, do you remember you and her</p>	<p>36</p> <p>1 A I really don't recall anything else.</p> <p>2 Q And did you speak?</p> <p>3 A I don't recall.</p> <p>4 Q How was the meeting arranged, if you 5 recall?</p> <p>6 A I don't. I'm sorry.</p> <p>7 Q What was the result of the meeting, at 8 least your understanding of the result of the 9 meeting?</p> <p>10 A I cannot recall clearly.</p> <p>11 Q Any aspect that you recall?</p> <p>12 A No. I am sorry, I can't.</p> <p>13 Q At some point, you were -- it was agreed 14 that you would go to school as Gavin.</p> <p>15 A Yes.</p> <p>16 Q Is that correct?</p> <p>17 A Yes.</p> <p>18 Q And that you would be called by male 19 pronouns?</p> <p>20 A Yes.</p> <p>21 Q What else is your understanding 22 eventually, when school started, in terms of what</p>

<p>37</p> <p>1 were the terms? I mean you would be starting 2 school related to this request. 3 A As I – as I understood it, I would be 4 starting school as Gavin and with male pronouns, I 5 was assured that malicious intentional 6 misgendering was not going to be permitted and 7 that – well, that malicious misgendering would 8 not be permitted, and I at that time had requested 9 use of the nurse's office bathroom and was 10 permitted to have access to that as well. 11 Q The term malicious, or excuse me, 12 intentional misgendering, what does that mean? 13 A Someone choosing to still refer to me with 14 female pronouns with the knowledge that that was 15 not appropriate. 16 Q And you were assured that that was not -- 17 that they would make every effort to make sure 18 that didn't happen? 19 A Yes. 20 Q And tell me what happened. Did it happen? 21 A By peers, yes, absolutely. 22 Q So peers would intentionally misuse the</p>	<p>39</p> <p>1 intentionally misgendered toward you? 2 A Not to my recollection. 3 Q In terms of students doing that, 4 intentional misgendering toward you, how frequent 5 was that? 6 A Daily. 7 Q Without asking you to repeat the litany of 8 things that they called you, what would that look 9 like other than name calling, if it wasn't name 10 calling, how would it happen? 11 A They would make a point to greet me by, of 12 course, the dead name. 13 Q Right. 14 A Or make a point to identify me as a girl, 15 for example, by saying isn't that a girl? 16 Things -- things designed to deliberately point 17 out the fact that I am transgender. 18 Q Again, were there any particular people or 19 groups of people who were doing this? 20 A It was, generally speaking -- well, I -- 21 it was plenty of different people. 22 Q Okay. I guess what I am trying to figure</p>
<p>38</p> <p>1 wrong gender? 2 A Yes. 3 Q How about any staff or faculty? 4 A I don't recall any intentional examples. 5 Q Do you recall any accidental examples? I 6 mean the thing that was mentioned previously was 7 that maybe your name was still another name on a 8 piece of paper and someone said that name, not 9 knowing, and then -- but that would not be 10 intentional. 11 A Right. I recall that there were a few 12 instances of what I assumed to be unintentional 13 misgendering or deadnaming; however, I do not 14 recall who or in what year that those things 15 occurred. 16 Q Deadnaming? 17 A For example, referring to me with the name 18 that was given to me at birth. 19 Q That's called deadnaming? 20 A Yes, sir. 21 Q So just to make sure we are clear, to your 22 recollection, there was no staff or faculty who</p>	<p>40</p> <p>1 out is this. There is how many people in the 2 school, like 1800 students, 9 through 12? 3 A I don't know. 4 Q I think that's right. Are we talking 5 about 3 handfuls of people who did this, or is it 6 hundreds of people would do this? That's all I am 7 trying to figure out. 8 A It tended to be just groups, small groups 9 of people known to be unkind to others. 10 Particularly -- I just -- I really just would 11 rather not characterize -- 12 Q I appreciate that. I don't like 13 stereotyping anybody either, it is not what we are 14 about. I am just trying to figure out, if you are 15 walking down the hall and you go I need to be over 16 here because I don't want to deal with those 17 people, or is it literally like anybody out of 18 nowhere could come up to you and all of a sudden 19 say something to you and like I don't even know 20 who that person is. 21 A It was traditionally the same group of 22 people. It wasn't three people, but it was also</p>

<p>41</p> <p>1 not something that I expected from the entire 2 student body. 3 Q So most people would walk by and just mind 4 their own business? 5 A Yes. 6 Q But there were certain people that didn't? 7 A Yes. 8 Q I got it. I am going to talk about 9th 9 grade. You entered 9th grade, the records were 10 that you were female and you had not officially 11 made any request otherwise. Tell me about your 12 9th grade year in terms of how you functioned and 13 at some point you left school and that kind of 14 thing. 15 A My 9th grade year was difficult, I 16 understood myself at that point, I understood that 17 I was a boy but did not feel able to reveal that 18 to others, and so the pressure of pretending to be 19 someone who I was not and of being recognized as a 20 girl, when that was incredibly distressing to me, 21 made that year very difficult. 22 Q And in terms of being, as you say,</p>	<p>43</p> <p>1 distress. 2 Q When you say always, since when? 3 A I recall being very young, and although 4 not having the thought I am a boy, having the 5 thought this name is far too feminine for me, I 6 think I like Alex better, things like that, erring 7 towards neutral things. 8 Q Right. When do you think you first 9 expressed that concern about the name? 10 A I do not think it was something I ever 11 vocalized something to family; however, in 12 imaginary play, when I was very young, I was 13 always in a male role with a neutral name or a 14 male name, so that was an anxiety from very early. 15 Q So is there anything in particular that 16 happened in 9th grade that resulted in you 17 deciding that you couldn't stay at the school? 18 Was there a triggering event or was it just a 19 cumulative effect? 20 A I cannot recall if there was or was not a 21 triggering event; however, I do recall that the 22 cumulative stress was very -- was very great.</p>
<p>42</p> <p>1 recognized as a girl, how often in the course of a 2 day would something happen that you would be -- 3 feel like you were being recognized as a girl? 4 I mean, if you are in math class and 5 somebody says what is the answer to question 6 number 4, you are not recognized as a boy or a 7 girl, you are just a student, you are being asked 8 a question. 9 So how often was it that something would 10 happen and you would think I am being treated like 11 a girl as opposed to just a person? 12 A When I would be referred to as ma'am in 13 class, when I would raise my hand to answer the 14 question and the response would be yes, ma'am, for 15 example, when peers and teachers would refer to me 16 with a female name, for example. 17 Q So the name at some point became, I will 18 use the term a burden for you, I mean the fact 19 that was your name. I am not going to say it, we 20 agreed not to use it. Is that right, the name? 21 A Yes, the name from the -- the name has 22 always, because of its femininity, caused</p>	<p>44</p> <p>1 Q How would you describe how you felt at 2 that point in time? 3 A What point in time, sir? 4 Q When you made the decision that you were 5 going to not continue going full-time to school in 6 the 9th grade, or however that came about. I 7 don't even know how it came about. 8 Tell me how it came about I guess would be 9 a better foundation question. 10 A I am sorry. Do you mind reframing the 11 question? 12 Q Sure. At some point in time, in the 13 spring semester of your 9th grade year, you 14 stopped attending school daily; is that true? 15 A Yes. 16 Q How did that come about? 17 A My ability to function became so 18 diminished, that it was not actually possible for 19 me to continue to go to school. 20 Q So tell me what that means. 21 A It means I was -- I -- I was experiencing 22 major depression, my social anxiety related to</p>

<p style="text-align: right;">45</p> <p>1 being gendered incorrectly was so bad that I was 2 afraid to go outside, where I might encounter 3 other people, for example. I academically could 4 not focus, I was just -- I was miserable. 5 Q And what occurred? What steps, as best 6 you can recall, occurred in terms of communicating 7 that with the school or with your parents 8 communicated, your father or mother? 9 A I really don't recall. 10 Q How long a period of time was it that you 11 were not attending school on a daily basis at that 12 9th grade spring semester? 13 A I can't recall. I -- I don't recall if it 14 was for the duration of the rest of that year or 15 not, I don't recall. 16 Q What was the level of support you were 17 receiving from your mother at that point in time 18 in terms of trying to help you through this? 19 A Regarding my difficulties at school or my 20 gender expression? 21 Q Just your ability to function, period, 22 whether it was difficulty at school or gender</p>	<p style="text-align: right;">47</p> <p>1 MR. CORRIGAN: We have been going a while. 2 Why don't we take a minute. 3 (Recess from 10:28 a.m. to 10:45 a.m.) 4 A Sir, I have recalled a few different 5 details to share with you. 6 Q Sure. 7 A The first being that, when I did meet with 8 Tiffany Durr, I do not think it is accurate that I 9 requested the use of the nurse's restroom, I -- 10 more accurately, I believe it was an option 11 offered to me, which I then accepted. 12 Additionally, I have a few antidotes from, 13 you know, growing up, which follows the line of 14 inquiry about, you know, male expressions. 15 The first being in middle school -- I 16 expressed that I didn't really have friends in 17 middle school, and the group of friends I 18 mentioned in high school, we met in middle school; 19 however, at that point they had not become my core 20 groups of friends, which was why I phrased that 21 the way I did; however, at some point in -- 22 actually, pardon me. Do you -- does --</p>
<p style="text-align: right;">46</p> <p>1 expression or anything else? 2 A Well, at that time my mother was, of 3 course, willing to pull me out of school and allow 4 me to do an alternative program. 5 Q What is your recollection of the 6 alternative program? Was it home school? 7 A It -- it -- I think it was referred to as 8 homebound schooling and was online. 9 Q So did you complete your 9th grade classes 10 online? 11 A As far as I recall. 12 Q Did you -- Did the school, to your 13 understanding, have any understanding -- I'll 14 start over on that one. 15 What was your understanding of the 16 school's perception of what your issue was? 17 MR. BLOCK: Objection. 18 A I don't recall. 19 Q Did you speak to anybody in the 20 administration with respect to why it was that you 21 were going to go to an alternative program? 22 A I don't recall.</p>	<p style="text-align: right;">48</p> <p>1 When we were -- When Peasley was taken out 2 by a tornado and we went to school in a trailer, 3 this was when that happened, so actually this 4 could have been 9th grade. In fact, it was 9th 5 grade, so this was not middle school at all. 6 9th grade, my -- my friends and I, two of 7 my friends, I don't recall who of the two, we were 8 walking, and at that time I was presenting fully 9 as male, although I had not revealed that, I had 10 not revealed my gender identity to any of my 11 friends, and one of my friends saw a student, 12 presumably assigned male at birth, and made the 13 comment that looks like the male version of Gavin, 14 but using, of course, the name they knew me as at 15 the time; and my other friend said, in response, 16 Gavin is the male version of Gavin. 17 So on another occasion, when my sister got 18 married, one of -- the half sister on my mother's 19 side, my -- my mother insisted I wear a dress, and 20 that was a process that took hours and countless 21 stores because I would walk in, take one look, 22 nope, not doing any of them, hate them all, and</p>

<p style="text-align: right;">49</p> <p>1 then we'd go to the next one.</p> <p>2 I -- I really fought hard to not wear a</p> <p>3 dress and eventually, after lots of tears and</p> <p>4 fights, came to agree to wear one that was just</p> <p>5 like completely black, was just like a square with</p> <p>6 straps, and I was incredibly distressed, and at</p> <p>7 the wedding the first thing that I greeted my</p> <p>8 relatives with was please don't call me pretty,</p> <p>9 please don't call me pretty, because I did not</p> <p>10 want to be referred to in a femininely-aligned</p> <p>11 way, and I do not recall what year my sister got</p> <p>12 married, but that would have been probably -- I</p> <p>13 was probably prepubescent at the time.</p> <p>14 Q So 11, 12?</p> <p>15 A Around, or perhaps earlier, I was -- it</p> <p>16 was, yes, it was around in that range.</p> <p>17 Q Okay.</p> <p>18 A And then there was one example where, as a</p> <p>19 class, I can't remember the parameters, but we</p> <p>20 were asked to line up boy, girl, boy, girl. Or,</p> <p>21 in fact, I -- so I don't recall the setting, if</p> <p>22 this was gym or what have you or whatever, but I</p>	<p style="text-align: right;">51</p> <p>1 school or somewhere else?</p> <p>2 A I don't.</p> <p>3 Q Spring semester of 9th grade is kind of</p> <p>4 where we left off. Physically, did you have any</p> <p>5 facial hair at that time, in spring semester of</p> <p>6 9th grade?</p> <p>7 A I -- well, perhaps more than was common</p> <p>8 for someone assigned female at birth, but it was</p> <p>9 not -- pardon. At that time, I had not begun</p> <p>10 hormone replacement therapy, but I -- yes, I did</p> <p>11 have a little rat 'stache I was proud of.</p> <p>12 Q I assume a rat 'stache --</p> <p>13 A Pardon me.</p> <p>14 Q -- is some hair on your upper lip?</p> <p>15 A Just a tiny patchy little thing that I</p> <p>16 just was -- I loved to not shave.</p> <p>17 Q With that semester in school, you had not</p> <p>18 come out to the school itself?</p> <p>19 A The school itself, no; however, by the end</p> <p>20 of that year, some of my friends knew.</p> <p>21 Q And how did that happen? How did they</p> <p>22 know?</p>
<p style="text-align: right;">50</p> <p>1 remember that I had been just assigned to like</p> <p>2 stand in line with the boys because visually,</p> <p>3 looking at me, the person had assumed I was or</p> <p>4 correctly determined that I was a boy, although at</p> <p>5 the time I was still understood socially to be a</p> <p>6 girl, and that was a moment of great joy for me,</p> <p>7 so that's another sort of transitional antidote.</p> <p>8 Q And that last antidote was at school?</p> <p>9 A I believe so. Actually, I will say I</p> <p>10 don't recall just because I can't say with</p> <p>11 certainty.</p> <p>12 Q But it was somewhere where you and other</p> <p>13 children at the time were being asked to line up</p> <p>14 and the adult in charge identified you as a boy?</p> <p>15 A Yes.</p> <p>16 Q And that was a source of joy for you?</p> <p>17 A Yes.</p> <p>18 Q How old approximately were you?</p> <p>19 A I was -- I was -- this would have been</p> <p>20 before transition, so I was in the range of 9 to</p> <p>21 12.</p> <p>22 Q But you don't recall whether that was</p>	<p style="text-align: right;">52</p> <p>1 A I -- I just informed them that, going</p> <p>2 forward, I would like them to refer to me with</p> <p>3 male pronouns and Gavin.</p> <p>4 Q Where did the name Gavin come from?</p> <p>5 A My mother chose it for me.</p> <p>6 Q What do you recall about how that</p> <p>7 occurred?</p> <p>8 A Well, I -- I don't recall the moment where</p> <p>9 Gavin was decided upon, but I just recall the</p> <p>10 process was that my mother would be how about</p> <p>11 this? No. How about this? Absolutely not. And</p> <p>12 eventually we came to a point where I was okay</p> <p>13 with what she had chosen.</p> <p>14 Q Were you suggesting names to her as well</p> <p>15 and getting her feedback?</p> <p>16 A I don't recall. It was established at</p> <p>17 that point that, in fact, she had made the</p> <p>18 statement that she -- if I did not allow her to</p> <p>19 choose my name, that it would not be changed. She</p> <p>20 was --</p> <p>21 Q Eventually, you were okay with that, as</p> <p>22 long as you approved of the name?</p>

<p>53</p> <p>1 A I would have preferred to self-identify; 2 however, I am not unhappy with the name Gavin. 3 Q Okay. 4 A They're -- well -- 5 Q What were you going to say? 6 A It is -- I am not entirely sure how 7 relevant it is, it is just the name actually -- I 8 had given the name to a turtle my brother found in 9 the York River, I had called the turtle Gavin, and 10 my mother insists that she was not aware that that 11 was what the turtle's name was, because my brother 12 called it Bubba; however, I am somewhat of the 13 belief that I am named after a turtle. 14 Q Your mother swears that's not so? 15 A She will say that it is not so. 16 Q Okay. Did your brother or your father 17 participate in this renaming discussion? 18 A No. 19 Q At what point did you begin any type of 20 treatment which you understood as treatment for -- 21 and eventually the term gender dysphoria is what 22 is identified. At what point did any treatment</p>	<p>55</p> <p>1 determined to be gender dysphoria? 2 A Are you asking if I was under any mental 3 healthcare at the time or if I was specifically 4 seeing someone for gender dysphoria? 5 Q I am asking if you had discussed anything 6 with regard to this with any healthcare provider. 7 A No. 8 Q When did that first occur? It doesn't 9 have to be a psychologist, it could have been your 10 family doctor, it could have been just any 11 healthcare provider. 12 A I actually want to correct myself. I had 13 a therapist when I was 8, who I at the time 14 expressed -- I did not use the language that I was 15 transgender; but I had expressed that I felt like 16 a boy, and that didn't go anywhere. It was a 17 religious counseling institution, and so it was 18 dissuaded rather than encouraged, or not 19 encouraged, but rather than respected, I suppose, 20 and so I did not vocalize that to a professional 21 after that point until -- until after I cut my 22 hair, I believe.</p>
<p>54</p> <p>1 for that occur, as your best recollection? 2 A Are you referring to specifically medical 3 steps or the beginning of like my attempts to 4 alleviate that dysphoria? 5 Q The beginning of your attempts to 6 alleviate. 7 A I was -- I believe I cut all of my hair 8 off when I was 12, which was one of the first 9 things that I did to begin a transition. 10 Following that, when I was 13, I purchased a 11 garment, which would flatten my breasts, and then, 12 when I was 14, I revealed to my mother that I was 13 a boy, and by the time I was I believe 15, I had 14 begun hormone replacement therapy in the form of 15 testosterone injections. Or perhaps, actually, I 16 believe I -- did I say 15? 17 Q Yes. 18 A Yes, sir, so that's correct. 19 Q At the time you cut your hair off, were 20 you seeing any healthcare provider who was 21 providing you with any sort of guidance with 22 respect to this question of what ultimately was</p>	<p>56</p> <p>1 Q So sometime after you were 12 years old, 2 after you got -- 3 A Yes, after I was 12. 4 Q Do you remember who you first spoke to 5 about it, healthcare provider? 6 A I -- 7 MR. BLOCK: After he cut his hair? 8 MR. CORRIGAN: Yes. 9 Q After you cut your hair. 10 A There was one therapist, who I cannot 11 place on a timeline, it -- I don't recall when I 12 saw this person, and I also do not recall the name 13 of the doctor because I had a nickname for -- 14 which I never said to her, but a nickname that 15 just was a feature of hers, that was helpful for 16 me to remember what doctor that was, but I don't 17 recall her name, and she was the first provider 18 that I had mentioned that to. 19 But the first provider that I actually 20 sought gender specific care from was Dr. Lisa 21 Griffin. 22 Q The person before Dr. Lisa Griffin, was</p>

<p>57</p> <p>1 that someone in the Gloucester community?</p> <p>2 A She was more local than Dr. Lisa Griffin,</p> <p>3 but I cannot recall if she was within Gloucester</p> <p>4 or outside of Gloucester.</p> <p>5 Q When you say more local, it might have</p> <p>6 been York, it might have been Hampton Roads,</p> <p>7 Hampton or Newport News or --</p> <p>8 A I -- I really don't recall. It was not --</p> <p>9 for -- for example, Richmond would have been an</p> <p>10 hour and a half of a drive, and it was much, much</p> <p>11 less than that --</p> <p>12 Q Right.</p> <p>13 A -- from my home in Gloucester, so sort of</p> <p>14 in that kind of 30-minute driving circle, that was</p> <p>15 where they practiced.</p> <p>16 Q This person, what were you seeing them</p> <p>17 for?</p> <p>18 A I -- at the time, what I recall of the</p> <p>19 stated reasons was, of course, because at that</p> <p>20 point, my mother was the one who contacted the</p> <p>21 doctors --</p> <p>22 Q Right.</p>	<p>59</p> <p>1 positive light, what light was it that the term</p> <p>2 transgender was open to you?</p> <p>3 A Well, my home environment as well as the</p> <p>4 community environment was very conservative, and I</p> <p>5 also grew up in an environment, which was very</p> <p>6 religious and specifically religious in such a way</p> <p>7 where the teachings of those churches were that,</p> <p>8 for example, being gay is wrong and evil, and so</p> <p>9 it was just in context of those sorts of things.</p> <p>10 Just -- you know, my understanding of</p> <p>11 trans people were that they were strange or bad,</p> <p>12 or up until that point or that life, you know, is</p> <p>13 difficult, and I don't think I ever held those</p> <p>14 convictions personally but was fearful of the</p> <p>15 reception of others.</p> <p>16 Q So the term transgender, I mean did you</p> <p>17 hear it at church, did you hear it at Sunday</p> <p>18 school, did you hear it in your house, or was it</p> <p>19 at school, or where was the first time that</p> <p>20 someone said transgender and you went I know what</p> <p>21 that means, I think that's what I am feeling?</p> <p>22 A Yes. It was a YouTube video, it was an</p>
<p>58</p> <p>1 A -- and communicated these things. The</p> <p>2 understanding at the time was that the treatment</p> <p>3 was for generalized anxiety and severe depression.</p> <p>4 Q Who is it, as best you know, who referred</p> <p>5 you to Dr. Lisa Griffin?</p> <p>6 A I really don't recall. I -- I know that</p> <p>7 it was, of course, somebody in the know of the</p> <p>8 transgender community, but I do not recall who</p> <p>9 that person was.</p> <p>10 Q The term transgender you have said several</p> <p>11 times, when you were younger, you didn't know that</p> <p>12 term. When did you first learn that term?</p> <p>13 A I was around 12, I would say, when I</p> <p>14 discovered that term.</p> <p>15 Q About the time you cut your hair?</p> <p>16 A Probably; however, it was not -- I did not</p> <p>17 immediately recognize that label as being</p> <p>18 accurate, because it was something that was -- it</p> <p>19 was not a concept that I had been introduced to in</p> <p>20 a positive light, and that had caused anxiety</p> <p>21 relating to my knowledge that that was accurate.</p> <p>22 Q Right. So how was it, if it wasn't a</p>	<p>60</p> <p>1 individual on YouTube who made videos where they</p> <p>2 would dress up as a character from a show I liked</p> <p>3 at the time, and in one video that I saw, they</p> <p>4 appeared physically female and in another video I</p> <p>5 saw, which I later realized was dated a year after</p> <p>6 the first one, they appeared physically male, and</p> <p>7 I was totally -- I was just ecstatic that that was</p> <p>8 something people could do.</p> <p>9 Q Who was the individual, do you remember?</p> <p>10 A The channel was called Twin Fools.</p> <p>11 Q T-W-I-N, F-O-O-L-S?</p> <p>12 A Yes. I don't know if it is still active</p> <p>13 or anything like that.</p> <p>14 Q And the individual was they were on a show</p> <p>15 or it was just a video that they had done</p> <p>16 themselves?</p> <p>17 A They just made YouTube videos.</p> <p>18 Q Okay. Do you know who the person was?</p> <p>19 A No, not personally. It was --</p> <p>20 Q Do you remember their name, did they have</p> <p>21 a stage name?</p> <p>22 A Oh, I have no idea. I don't know. I was</p>

<p style="text-align: right;">61</p> <p>1 quite young.</p> <p>2 (Discussion held off the record.)</p> <p>3 Q So how old were you the first time you saw</p> <p>4 Dr. Lisa Griffin?</p> <p>5 A I believe 15.</p> <p>6 Q So was that the spring of your 9th grade</p> <p>7 year or was it later?</p> <p>8 A I -- I did not -- I did not tell my mother</p> <p>9 who I was until the summer before or the summer</p> <p>10 after my 9th grade year, so that would have been</p> <p>11 later.</p> <p>12 (Discussion held off the record.)</p> <p>13 Q Let's talk about telling your mother who</p> <p>14 you were. When and where was that?</p> <p>15 A My mother knows the calendar date, I do</p> <p>16 not. I believe we were in the kitchen at my home</p> <p>17 and she had said the word transgender, which is</p> <p>18 not a word I knew or I was aware that she was</p> <p>19 aware of, and I had previously downloaded a PDF</p> <p>20 about what it means to be a transgender on a Nook,</p> <p>21 and so when she said the word transgender, I ran</p> <p>22 off to find the Nook, I couldn't find it, so I</p>	<p style="text-align: right;">63</p> <p>1 concept, and so the morning of the party, I had --</p> <p>2 I was nearly just totally catatonic with my grief</p> <p>3 and anxiety.</p> <p>4 And I had locked myself in my bedroom</p> <p>5 because -- because I mean I didn't -- I wasn't</p> <p>6 going to experience a birthday as a birthday girl,</p> <p>7 that was my position, and so my father had knocked</p> <p>8 on the door after that point and asked me what the</p> <p>9 problem was; and I had informed him, I said well,</p> <p>10 Mom said I am not allowed to tell you, and so, of</p> <p>11 course, he goes outside, asks Mom what it is that</p> <p>12 I am not allowed to tell him, and she told him and</p> <p>13 then called all of my relatives.</p> <p>14 Q Your mother did?</p> <p>15 A Yes. Yes. Yes, sir. My mother told my</p> <p>16 father that I was a boy, called all my relatives,</p> <p>17 who were mostly on the way already, said that I</p> <p>18 was a boy, and then later, at the party, was when</p> <p>19 my brother found out, the name Gavin had been</p> <p>20 written on the birthday cake, in lieu of the</p> <p>21 incorrect name that had originally been there, my</p> <p>22 mother had wiped the wrong one off and had written</p>
<p style="text-align: right;">62</p> <p>1 came back and told her; and at that time she told</p> <p>2 me that I was not allowed to tell my extended</p> <p>3 family or the rest of my family.</p> <p>4 Q So you told her I'm a boy, I'm a</p> <p>5 transgender boy?</p> <p>6 A Yes.</p> <p>7 Q And what was her reaction other than --</p> <p>8 Before she said don't tell anybody else, what was</p> <p>9 her reaction?</p> <p>10 A She hugged me and said she loved me and we</p> <p>11 would get through this, those sorts of things.</p> <p>12 Q Okay. Then she said we are not going to</p> <p>13 tell your father, your brother or anybody else?</p> <p>14 A Yes.</p> <p>15 Q At what point in time did your father and</p> <p>16 your brother become aware of this?</p> <p>17 A Back to the turtle, at my 15th birthday</p> <p>18 party, I -- you know, I was still sort of under</p> <p>19 that gag order, and so I was prepared to</p> <p>20 experience a birthday as a birthday girl again --</p> <p>21 Q Right.</p> <p>22 A -- which was intensely traumatic as a</p>	<p style="text-align: right;">64</p> <p>1 Gavin, and my brother came down the stairs and</p> <p>2 asked everyone why the turtle's name was on the</p> <p>3 cake, because he was aware that the turtle's name</p> <p>4 was Gavin but not that my name was Gavin, and so I</p> <p>5 had to take him in the other room and explain, and</p> <p>6 so basically everyone found out on the day of my</p> <p>7 15th birthday.</p> <p>8 Q And how did it go with you and your</p> <p>9 brother with you explaining that to him?</p> <p>10 A Well, I said that's not the turtle's name,</p> <p>11 that's my name, I'm a boy, and he said no, you're</p> <p>12 not, and he ran out of the room, but he didn't</p> <p>13 mention the turtle after that.</p> <p>14 And following that was supportive to</p> <p>15 whatever degree. I mean he was never rah-rah</p> <p>16 trans.</p> <p>17 Q Right.</p> <p>18 A However, he respected me as a man, as with</p> <p>19 male pronouns, with the name Gavin. That was not</p> <p>20 a point of negotiation in my household.</p> <p>21 Q What was not?</p> <p>22 A It was not an option for anybody living</p>

<p style="text-align: right;">65</p> <p>1 under that roof to misgender me or dead name me</p> <p>2 intentionally. It was something that my mother</p> <p>3 had made very clear that she would not tolerate.</p> <p>4 Q So would you say, from that point forward,</p> <p>5 that your father and brother were supportive or</p> <p>6 not, unsupportive?</p> <p>7 A I would say not, unsupportive, remained</p> <p>8 the dynamic for a little while there,</p> <p>9 transitioning into just it's everyday life now and</p> <p>10 he is my brother, he is my son, and that's the</p> <p>11 extent of the conversation.</p> <p>12 Q Okay. At what point do you think it</p> <p>13 became he's my brother, he's my son?</p> <p>14 A Perhaps after a few months of getting used</p> <p>15 to it, and I -- and especially once I had began</p> <p>16 hormone replacement therapy and they recognized</p> <p>17 that it was something I was serious about.</p> <p>18 Q How did that affect you when they -- when</p> <p>19 it became he is my brother, he is my son, instead</p> <p>20 of merely not, unsupportive?</p> <p>21 A You know, being in a hostile environment</p> <p>22 in the home is incredibly detrimental to one's</p>	<p style="text-align: right;">67</p> <p>1 now going to get into the details of the case,</p> <p>2 like from this point forward.</p> <p>3 All right. The first meeting with the</p> <p>4 guidance counselor, did you also meet with the</p> <p>5 principal at the same time or did you just meet</p> <p>6 first with the guidance counselor?</p> <p>7 A As I recall, it was first with just the</p> <p>8 guidance counselor.</p> <p>9 Q That was Miss Durr?</p> <p>10 A Yes.</p> <p>11 Q Do you remember having an initial meeting</p> <p>12 at some point in time with the principal Nate</p> <p>13 Collins?</p> <p>14 A I do remember speaking to him, yes. I do</p> <p>15 not recall, however, if that was before the school</p> <p>16 year began or after the school year began.</p> <p>17 Q Okay. Was he involved in the initial plan</p> <p>18 that you would use the nurse's office for the</p> <p>19 restroom and be called by male pronouns, or was</p> <p>20 that done with or without his knowledge, as best</p> <p>21 you recall?</p> <p>22 A I don't recall to what extent he was</p>
<p style="text-align: right;">66</p> <p>1 mental health, so having the shift from mild</p> <p>2 hostility, you know, begrudging acceptance to, you</p> <p>3 know, you are my brother, you are my son, greatly</p> <p>4 alleviated some of my anxiety.</p> <p>5 Q So approximately when would you say -- to</p> <p>6 me, you identified three stages there just now of</p> <p>7 mildly unsupportive, whatever you said, and then</p> <p>8 kind of neutral, and then actually you are my</p> <p>9 brother, you are my son.</p> <p>10 A Yes.</p> <p>11 Q Over what period of time do you think</p> <p>12 those three stages occurred?</p> <p>13 A I would say that full evolution was over</p> <p>14 the course of perhaps a year.</p> <p>15 Q So tell me about your relationship with</p> <p>16 your brother before any of this came into being.</p> <p>17 What -- how would you describe your relationship</p> <p>18 with your brother?</p> <p>19 A He -- we didn't have a relationship. He</p> <p>20 and I ran in different circles, and we just didn't</p> <p>21 communicate very often.</p> <p>22 Q Okay. Let's go back to the meeting. I am</p>	<p style="text-align: right;">68</p> <p>1 involved in the decision to have me in the nurse's</p> <p>2 bathroom; however -- pardon me.</p> <p>3 Could you restate the second part?</p> <p>4 Q Yes. What I am trying to figure out is</p> <p>5 whether your recollection is that Mr. Collins was</p> <p>6 involved in this initial decision, the initial --</p> <p>7 A Right.</p> <p>8 Q -- be called Gavin, male pronouns, use the</p> <p>9 nurse's office, or whether his involvement came</p> <p>10 later, when you were talking about using the boys'</p> <p>11 restroom. In other words, was he involved in that</p> <p>12 first set of conversations, as best you recall?</p> <p>13 A As -- as best I can recall, there had been</p> <p>14 a discussion with him wherein he assured me that</p> <p>15 bullying was not going to be tolerated and that I</p> <p>16 should report to him, should something like that</p> <p>17 happen. I do not recall, however, at what point</p> <p>18 that conversation happened.</p> <p>19 Q In the time that you were -- let's go</p> <p>20 before you identified and came to school in the</p> <p>21 summer, so in 9th grade, did you ever report</p> <p>22 bullying, did you ever go to the teachers or go to</p>

<p style="text-align: right;">69</p> <p>1 the counselors or anybody to say something has 2 happened today, this is what's happened today, 3 something specific? 4 A So because I had been bullied throughout 5 my school career, I had felt consistently like it 6 didn't matter to the administration, I was 7 never -- I don't feel it was ever handled 8 appropriately, I had to be home schooled in 3rd 9 grade because no one handled the bullying, and so 10 by that time I feel that I had developed a 11 perception that no one was going to help me, and 12 so I think I reported these things with less 13 frequency -- certainly with less frequency than 14 they happened. 15 Q In 9th grade, the entire year, that fall 16 and spring semester, do you have any recollection 17 of ever actually reporting a specific incident of 18 what you believe was bullying to a teacher or 19 administrator? 20 A I know there was a lot, but I cannot 21 recall if I had ever reported anything. 22 Q Same question about 10th grade. In 10th</p>	<p style="text-align: right;">71</p> <p>1 Q I am sorry. 10th grade. I apologize. 2 That was a misstatement on my part. 3 A Yes, sir. I -- for the period of time 4 before I requested use of the men's facilities? 5 Q Yes. 6 A I -- I recall sort of an adjustment 7 period, where peers who had, for example, known me 8 previously as something else would -- it was, you 9 know, they slowly began to realize individually 10 that, clearly, something had changed and had, you 11 know, their own varying opinions on that. 12 I do recall an example where I had walked 13 into class and a previous classmate, after the 14 teacher had called out my name for attendance or 15 something, and I said here, you know, after having 16 been called Gavin, a former classmate of mine sort 17 of started laughing, and I heard him tell everyone 18 that's a chick, that's a chick, and then he said 19 hey, name, hey, name, hey, name, name, of course, 20 being my dead name, like trying to get my 21 attention with the incorrect name, and that is 22 something I did report.</p>
<p style="text-align: right;">70</p> <p>1 grade, was there ever any specific incident that 2 you reported to a teacher or administrator of 3 something that you believe was bullying? 4 A I don't -- I don't recall. 5 Q Same question for 11th grade. 6 A I don't recall. 7 Q And 12th grade. 8 A I don't recall. 9 Q So let's talk about 9th grade. You have 10 the conversation with Miss Durr, possibly 11 Principal Collins, it is agreed that you will use 12 the nurse's office, be called Gavin, be a male, 13 pronouns, and that, if anything comes up, you will 14 let them know. 15 So tell me, how does that go for that 16 first period of time. We know eventually you go 17 talk to him about using the boys' room, but in 18 that period of time before you start using the 19 boys' room, describe what was happening on a daily 20 basis. 21 A I believe you said 9th grade. That would 22 have been 10th grade.</p>	<p style="text-align: right;">72</p> <p>1 Q Who did you report it to? 2 A The teacher in the classroom at that time, 3 I do not recall the name of the teacher. 4 Q Do you remember what class or what 5 subject? 6 A I don't. I do not. 7 Q Do you remember what action, if any, was 8 taken? 9 A I -- I recall that the teacher assured me 10 that, I believe it was a female teacher, that she 11 would speak to him, and nothing like that happened 12 afterwards in that class. 13 Q When you say nothing like that happened, 14 you are not saying she didn't speak to him, you 15 are saying that child never said that's a chick, 16 hey, name, again. 17 A Correct. 18 Q That never happened again? 19 A Correct. 20 Q So it was a one-time incident? 21 A From that child. There was other 22 ridicule, however.</p>

<p>73</p> <p>1 Q That child. I wasn't trying to overstate 2 it.</p> <p>3 A Right.</p> <p>4 Q Just that particular incident with that 5 particular class occurred on one occasion, and you 6 reported it to the teacher; and, to your 7 knowledge, it never happened again; correct?</p> <p>8 A Yes.</p> <p>9 Q What else can you recall in that time 10 frame, in the first three or four weeks, maybe a 11 little longer, of 10th grade, your using the 12 nurse's restroom.</p> <p>13 A I can recall that I began to feel anxiety 14 and shame and stigma surrounding traveling to the 15 nurse's restroom during that time. I can recall 16 frustration with missing class time because of it, 17 and perhaps some embarrassment, because I had the 18 perception, of course, that the other students 19 knew why I am going to the nurse, because, you 20 know, I am the transgender kid, so I remember that 21 being an anxiety that developed and intensified 22 during that period of time.</p>	<p>75</p> <p>1 commented on how long you had been gone to the 2 restroom, do you remember any other specific 3 incidents with respect to events that occurred 4 that caused you anxiety, shame, stigma, 5 embarrassment?</p> <p>6 A A point where I would miss valuable 7 instruction time, because I had to travel farther 8 for the restroom. Importantly as well, at the 9 time I had mentioned the compression garment, and 10 that is a garment that needs to be adjusted 11 throughout the day a few times, or else it can 12 physically damage my body including rib 13 deformation, respiratory issues, and so it was 14 important that I had access to a bathroom 15 frequently enough to make sure that I was not 16 harmed, and I recall that, because of that, I did 17 have anxiety over how much instructional time I 18 was missing.</p> <p>19 Q So how often did you have to go to the 20 restroom?</p> <p>21 A Well, I would say -- I would say, for 22 restroom functions, perhaps twice a day and then,</p>
<p>74</p> <p>1 Q Okay. Was there ever anything specific 2 that happened, any statements by another student, 3 statements by a teacher, anyone else, that helped 4 create the anxiety, shame, stigma, embarrassment 5 that you mentioned?</p> <p>6 A Yes.</p> <p>7 Q What?</p> <p>8 A There was one example of a teacher, I 9 cannot recall what teacher, but that the teacher 10 was male, who after a lengthy disappearance from 11 class to use the bathroom, because, of course, it 12 was farther from my class than the bathrooms 13 usually are, he made a big public point, when I 14 reentered the classroom, to comment on how long I 15 had been gone in a way that I felt was 16 humiliating.</p> <p>17 Q Do you remember who the teacher was?</p> <p>18 A I do not.</p> <p>19 Q But it was one of your teachers the first 20 semester of 10th grade?</p> <p>21 A Yes.</p> <p>22 Q Other than that incident where the teacher</p>	<p>76</p> <p>1 to adjust that garment, that is something that I 2 would have to do three or four times throughout a 3 school day, often times I would, you know, do that 4 when I went to the bathroom, but sometimes I 5 couldn't.</p> <p>6 Q Why not?</p> <p>7 A Or rather not sometimes that I couldn't, 8 but sometimes that it happened, it would 9 reposition itself in a way that I needed to 10 correct in a position where I -- I didn't need to 11 go to the bathroom for any other reason than to 12 fix that garment.</p> <p>13 Q Did there come a time when they gave you 14 access to another restroom that was closer besides 15 the nurse's office in the D-Hall?</p> <p>16 A So at one point, it was my understanding 17 that it was communicated to me that I was allowed 18 to access the male faculty restrooms on all halls; 19 however, I was then told that no, in fact, I had 20 only been given permission to use the ones on 21 D-Hall, but I think that -- I think I genuinely 22 was told that I had access to all staff bathrooms</p>

<p style="text-align: right;">77</p> <p>1 initially, and then the D-Hall thing was raised 2 after the fact. 3 Q Tell me, as best you can recall, who told 4 you you could use any male faculty restroom? 5 A I really -- it would have been one of the 6 administrators or not -- one of -- either 7 counselors or the principal, someone in that 8 position, those positions, I don't recall exactly 9 who. 10 Q But your recollection is that someone told 11 you you could use any of the male faculty 12 restrooms? 13 A So my recollection was that yes, that I 14 was able -- I was permitted to use the male 15 faculty restrooms; however, I was later called 16 into either the guidance office or the office, I 17 can't recall who I had the conversation with, who 18 said no, in fact, you can only use the D-Hall. 19 Q Who was it who you had the conversation 20 with that restricted it to the D-Hall restroom? 21 A I really don't recall. 22 Q Your recollection is it was either someone</p>	<p style="text-align: right;">79</p> <p>1 someone actually said something to you, any 2 student said something to you about what are you 3 doing in there in the nurse's office or what are 4 you doing going in the male faculty restroom or 5 any specific comment by a student about your 6 restroom use during this time frame? 7 A I recall a few sort of snide comments, 8 when I had a longer absence from class for the 9 bathroom, you know, what took you so long, in a 10 way that was, you know, probably implying high 11 school bathroom humor; and other snide things like 12 that are just things designed to point out that I 13 was not allowed to use the other restrooms. 14 Q Okay. How were you able, if somebody says 15 what took you so long, to know whether they're 16 trying to tease you about what function it was 17 that you were using versus which bathroom you were 18 using or any other concern? 19 A Well, in part, because of the individual 20 who would have said that, like these were 21 typically the kids that would commonly harass me, 22 and then, additionally, the tone of voice, but, of</p>
<p style="text-align: right;">78</p> <p>1 in counseling or someone in the administration? 2 A Yes. Either, for example, either like the 3 principal or one of the guidance counselors. 4 Q So Miss Durr, Mr. Lord, Mr. Collins. Who 5 were the other possibilities? 6 A I suppose Neblett would have been a 7 possibility, but, of course, I don't recall who. 8 Q Did anyone ever say anything to you -- let 9 me ask this question first. Did you ever use any 10 of the male faculty restrooms? 11 A I -- I don't -- I don't recall if I did or 12 did not, but I can say with certainty that, if I 13 did once or twice, it was not something I did with 14 frequency. 15 Q Why not? 16 A I was embarrassed. It was, in fact -- for 17 another student to see me go into a faculty 18 bathroom was more, obviously, I suppose uncommon 19 than should a student watch me walk into the 20 nurse's office, so it caused me more anxiety, in 21 fact. 22 Q On any occasion can you recount where</p>	<p style="text-align: right;">80</p> <p>1 course, additionally, the conversation they would 2 have thereafter about, you know, vulgar toilet 3 things so -- 4 Q All right. So can you give me any 5 specifics where this happened, like what class you 6 were in, who the student was, what was said, any 7 details? 8 A I -- I mean I don't -- I don't recall what 9 classroom I was in when this happened, it could 10 have been any one of many. 11 I -- one of the -- one of the most 12 persistent harassers was a student named Austin, I 13 do not recall his last name. I do recall that 14 this was an event -- one of these sorts of 15 examples of ridicule was something he was involved 16 in, and then -- pardon me. You also asked 17 specific examples of dialogue. 18 Q Yes. 19 A For example, you know, that must have been 20 a big crap, you know, embarrassing things like 21 that, because it took me a while. 22 Q But you would agree, that must have been a</p>

<p style="text-align: right;">81</p> <p>1 big crap doesn't have anything to do with</p> <p>2 whether -- which restroom you used or anything</p> <p>3 else, it is just talking about what you did while</p> <p>4 you were in there.</p> <p>5 MR. BLOCK: Objection.</p> <p>6 A I wouldn't agree with that. That was just</p> <p>7 one example of the dialogue that would follow.</p> <p>8 Others would be laughter about there is a bathroom</p> <p>9 right there, that kind of thing, so that's why --</p> <p>10 the perception I have is that these were all</p> <p>11 related to a knowledge of where I was using the</p> <p>12 bathroom, and it was just various targeted</p> <p>13 insults, whenever they felt like teasing me about</p> <p>14 at that time; but there were examples where the</p> <p>15 conversation erred less towards bathroom humor and</p> <p>16 more towards why don't you go to that one, that</p> <p>17 kind of thing.</p> <p>18 Q Can you tell me who said why don't you go</p> <p>19 to that one?</p> <p>20 A I really couldn't.</p> <p>21 Q Was that Austin or was it someone else?</p> <p>22 A I don't recall, but it was -- the -- the</p>	<p style="text-align: right;">83</p> <p>1 talking about this time period? About --</p> <p>2 MR. CORRIGAN: I am talking about ever.</p> <p>3 MR. BLOCK: You are?</p> <p>4 MR. CORRIGAN: Yes.</p> <p>5 A I don't recall.</p> <p>6 Q Had you ever been to Miss Durr about</p> <p>7 bullying?</p> <p>8 A I don't recall.</p> <p>9 Q Had you ever been to Matt Lord about</p> <p>10 bullying?</p> <p>11 A I don't recall.</p> <p>12 Q Can you tell me anybody at the high school</p> <p>13 that you went to about bullying?</p> <p>14 A The only clear memory that I have of</p> <p>15 reporting an incident would have been the one</p> <p>16 where the student, you know, referred to me</p> <p>17 incorrectly name wise.</p> <p>18 Q The one we talked about with the teacher?</p> <p>19 A Yes, sir.</p> <p>20 Q And she addressed it?</p> <p>21 A Yes. I -- I do not believe that that is</p> <p>22 the only incident I ever reported; however, I</p>
<p style="text-align: right;">82</p> <p>1 primary harassers were students like Austin and</p> <p>2 that would frequently hang around with Austin or</p> <p>3 other students in similar circles to Austin. So I</p> <p>4 mean it was -- it was, you know, a few different</p> <p>5 clusters of people that all sort of ran in the</p> <p>6 same circles.</p> <p>7 Q Did you report Austin's remarks or anybody</p> <p>8 else's remarks to your teacher or anyone else?</p> <p>9 A I don't recall what I did and did not</p> <p>10 report. At that time I sort of had a</p> <p>11 significantly diminished faith in the protections</p> <p>12 that I would have, and so I felt a bit of a sense</p> <p>13 that it was futile to report this harassment</p> <p>14 because it was so consistent and I had been going</p> <p>15 to administrators for my whole entire school</p> <p>16 career about incredible bullying, and nothing had</p> <p>17 ever been accomplished, so I felt like at that</p> <p>18 point it was just not something that I was --</p> <p>19 Q Let me ask you this. Specifically, had</p> <p>20 you ever been to Principal Collins about bullying?</p> <p>21 A I don't recall.</p> <p>22 MR. BLOCK: Objection. Are we still</p>	<p style="text-align: right;">84</p> <p>1 don't have a recollection of any other specific</p> <p>2 event of reporting things like that.</p> <p>3 Q Okay. At some point in time you went to</p> <p>4 Miss Durr and advised her that you wanted to use</p> <p>5 the boys' room, is that right, is that how that</p> <p>6 started?</p> <p>7 A I don't recall who I approached, but at</p> <p>8 some point in time I did approach a member of</p> <p>9 staff at the high school.</p> <p>10 Q Tell me what you recall about how -- was</p> <p>11 it you alone, was it with your mom, was it at</p> <p>12 school, was there an email sent, or how did it go?</p> <p>13 A I don't recall who was with me, and I do</p> <p>14 not recall who I spoke with, although I believe at</p> <p>15 some point Principal Collins or Nate Collins was</p> <p>16 part of the conversation.</p> <p>17 In fact, what I do recall of my</p> <p>18 conversation with him was I -- actually, so I</p> <p>19 suppose I do recall, he was part of this, at least</p> <p>20 at some point. I remember expressing to him that</p> <p>21 it was stigmatizing and embarrassing and also</p> <p>22 detrimental to my instructional time, to have to</p>

<p style="text-align: right;">85</p> <p>1 travel so far to the nurse's restroom, when my 2 classes on -- in that year were all as far from 3 the nurse's office on campus as they could have 4 been, and so it was even farther a journey, and I 5 expressed that it was just -- it was not ideal for 6 my needs, and I asked him if I could use the boys' 7 bathroom.</p> <p>8 At that time he did not commit either way, 9 I think he told me that he would have to check 10 with others, and then we spoke again, and he said 11 essentially to go ahead.</p> <p>12 Q Did you -- The word stigmatizing, when is 13 the first time you ever used that word or ever 14 heard that word?</p> <p>15 A I was a verbose child, so I could have 16 been 8. I have no idea.</p> <p>17 Q With respect to this, do you remember when 18 you first used the term stigmatizing, with using a 19 restroom being stigmatizing?</p> <p>20 A No, sir, I don't.</p> <p>21 Q Do you think it was your word?</p> <p>22 A Yes, of course.</p>	<p style="text-align: right;">87</p> <p>1 Q And you may or may not have gotten it. It 2 may have been something that was generated 3 internally within the school. I just didn't know 4 if you had any recollection of a memo.</p> <p>5 A Yes, I do remember that conversation.</p> <p>6 Q Okay. And tell me what you recall.</p> <p>7 A Essentially what you said, that it is -- 8 starting now I can use the boys' restroom. Should 9 there be any issues, let us know right away, that 10 kind of thing.</p> <p>11 Q Okay. October 20th was a Monday. Do you 12 recall whether the first time you used a boys' 13 restroom, when that was that day?</p> <p>14 A I would have no idea.</p> <p>15 Q Don't remember?</p> <p>16 A No idea.</p> <p>17 Q Do you remember which boys' restroom you 18 started using?</p> <p>19 A No. It was a nonevent for me.</p> <p>20 Q So when you went in the boys' restroom, I 21 assume you went in a stall every time that you 22 used the restroom?</p>
<p style="text-align: right;">86</p> <p>1 Q Okay. So is it your recollection you said 2 that to Mr. Collins when you spoke with him, that 3 specific word stigmatizing?</p> <p>4 A I conveyed that I felt, you know, stigma. 5 I do not know necessarily that I said the word 6 stigmatizing.</p> <p>7 Q Right.</p> <p>8 A However, I expressed that I felt that it 9 identified me as different, as a target, it was, 10 you know, not right, you know, things which fall 11 under stigma; but I also cannot say with certainty 12 that I did not use the word stigmatizing.</p> <p>13 Q Sure. Do you remember having a meeting 14 with Mr. Collins and Miss Durr, at which they 15 prepared a little memo? Have you seen the memo, 16 on October 14th, that says you will start on 17 October 20th and you will report if anything goes 18 wrong, and, if there is an incident, that you will 19 not increase it, you will come let us know 20 something happened. Does any of that ring a bell?</p> <p>21 A I recall the conversation, I do not recall 22 getting any memo or anything about that.</p>	<p style="text-align: right;">88</p> <p>1 A Yes.</p> <p>2 Q But as we are sitting here today, you 3 can't tell me which one out of the many, if I have 4 got the math, and said here is all the restrooms, 5 you wouldn't be able to tell me which one --</p> <p>6 A No.</p> <p>7 Q -- on any given occasion?</p> <p>8 A No. I had been using boys' bathrooms in 9 every public place in Gloucester and outside of 10 Gloucester for probably more than a year at that 11 point, so this was very natural to me and it was 12 not something I felt necessary to commit to 13 memory.</p> <p>14 Q Okay. Did you -- how often were you using 15 the restroom?</p> <p>16 A I suppose with the same frequency that I 17 was going to the nurse's room beforehand.</p> <p>18 Q So two times a day to use the restroom and 19 then a few other times to adjust your garment?</p> <p>20 A Yes, I would say 2 to 4 times a day would 21 be a fair sort of ballpark.</p> <p>22 Q At any time on any of those occasions in</p>

<p style="text-align: right;">89</p> <p>1 the first week, which would be the 20th, 21st, 2 22nd, 23rd, did you have any conversation with any 3 student coming in, going out, while in the 4 bathroom about what are you doing, what are you 5 doing in here, anything? 6 A No. I had a single conversation with a 7 student during that time in the D-Hall bathroom in 8 which he asked me if I liked his socks, and that 9 was the only encounter that I have ever had in a 10 restroom at Gloucester High. 11 Q Beginning at the first of your sophomore 12 year, did you ever go in the girls' restroom? 13 A Absolutely not. 14 Q When did you last use the girls' restroom 15 at Gloucester High School? 16 A I began avoiding it before the end of 17 freshman year of high school, so perhaps sometime 18 towards the middle or end of that year. 19 Q Of 9th grade? 20 A Yes, sir. 21 Q So the -- that was the second part of that 22 year, in the spring semester, you went into the</p>	<p style="text-align: right;">91</p> <p>1 sometime in October of 2014? 2 A 2014? 3 Q I have a record I can show you, but the 4 person's name is blacked out, so I don't know who 5 it was. 6 A Okay. 7 Q And the allegation is something along the 8 lines of the student was saying something like, 9 you know, there is a girl going in the boys' room 10 and you said that's me and then it elevated 11 into -- does that ring a bell? 12 A It does. The conversation that I had 13 overheard was actually that the child was speaking 14 in explicit and highly, highly sexually 15 inappropriate detail about my genitals, talking 16 about what I had, what -- you know, how disgusting 17 I was, how freaky I was, other explicit, you know, 18 assumptions or observations or whatever about, you 19 know, possible genital situations and that kind of 20 thing. 21 At that time, I had walked over and I said 22 you really should stop saying things like this,</p>
<p style="text-align: right;">90</p> <p>1 homebound status, so it was before that is the 2 last time you think you used the girls' restroom? 3 A Yes. I began avoiding it before that 4 point, which -- in -- contributed to the overall, 5 you know, complication of remaining at school. 6 Q Because you didn't want to use the girls' 7 restroom? 8 A Right. However, it was not something I 9 could vocalize to others at that time because I 10 was not out, out being that I had not announced 11 myself as a boy to others yet. 12 Q And since then, you have not used the 13 girls' restroom at Gloucester High School? 14 A No. 15 Q Not at all in the 11th grade, not at all 16 in the 12th grade? 17 A No. 18 Q Correct? 19 A Correct. 20 Q Do you recall an incident in your art 21 class, Miss Bergh, where you and the student got 22 into an argument, it would have been in that</p>	<p style="text-align: right;">92</p> <p>1 because he had identified me as my brother's 2 sister, and he -- I was in that class with him, 3 and he was aware that I was that person, and so I 4 was like this is disgusting, you need to stop. 5 At that point actually he stood up, who do 6 you think you are talking to. You know, my 7 position initially was to kind of ask him to like 8 please stop, and then his position was to yell and 9 escalate and continue to insult and berate me, 10 which resulted in disciplinary action for both of 11 us. 12 Q When was that, do you remember? 13 A No, not other than what you have, what you 14 have identified. 15 MR. CORRIGAN: Okay. I will go ahead and 16 get this marked. 17 (G. Grimm Deposition Exhibit 1 was marked 18 for identification and is attached to the 19 transcript.) 20 Q Okay. Take a minute and read that. That 21 has been marked as Exhibit 1. I am asking you, as 22 best you can recall, whether this is the incident</p>

Transcript of Gavin Grimm
Conducted on October 19, 2018

24 (93 to 96)

<p style="text-align: right;">93</p> <p>1 we were just discussing or describes the incident</p> <p>2 we were just discussing.</p> <p>3 A So reading this did remind me of a detail.</p> <p>4 The statement that Miss Bergh had said to me at</p> <p>5 the time, where she was recommending disciplinary</p> <p>6 action, was that she was positive that it was</p> <p>7 going to be a physical fight. I absolutely</p> <p>8 dispute that, I had had no intentions of</p> <p>9 physically fighting with anybody. I -- my only</p> <p>10 position was to say like you -- like stop saying</p> <p>11 these things, and his position was to escalate.</p> <p>12 And also importantly, we were on other</p> <p>13 sides of the table, and neither of us ever moved</p> <p>14 to get closer to each other as well, so I contest</p> <p>15 that there was a possibility of physical fight.</p> <p>16 But I believe that was the grounds under</p> <p>17 which she recommended disciplinary action.</p> <p>18 Q Okay. Do you remember what the</p> <p>19 disciplinary action was?</p> <p>20 A I -- I don't -- I don't recall if I was</p> <p>21 suspended in or out of school or for how many days</p> <p>22 or if it was just detention or something, I really</p>	<p style="text-align: right;">95</p> <p>1 Q Okay. And what is his name?</p> <p>2 A I believe he was a grade beneath me and so</p> <p>3 I don't recall.</p> <p>4 Q Okay. You -- Tell me about your Phys Ed</p> <p>5 decision. What did you decide to do with Phys Ed</p> <p>6 class?</p> <p>7 A What grade?</p> <p>8 Q 10th grade.</p> <p>9 A 10th grade. I believe that was done</p> <p>10 online.</p> <p>11 Q Why was that?</p> <p>12 A Because I was, of course, never going to</p> <p>13 be allowed to use the correct facilities, being</p> <p>14 the male facilities, and the humiliation of having</p> <p>15 to use an alternative option or perhaps even being</p> <p>16 forced into the girls' locker room was something I</p> <p>17 was unwilling to take on.</p> <p>18 In addition, I was wearing a garment, like</p> <p>19 I mentioned at the time, to compress my breasts,</p> <p>20 which it was utterly medically necessary and not</p> <p>21 something that was optional but that restricted my</p> <p>22 physical abilities pretty significantly because,</p>
<p style="text-align: right;">94</p> <p>1 don't recall, it was something to that effect.</p> <p>2 Q Okay.</p> <p>3 A I hadn't -- yes.</p> <p>4 Q Had this individual, who you got in the</p> <p>5 argument with, had he seen you in the restroom or</p> <p>6 had you crossed paths in the restroom?</p> <p>7 A Not that I was ever aware of. Perhaps in</p> <p>8 context for this claim it is important in that</p> <p>9 during the period of time -- in fact -- in fact,</p> <p>10 most of these rumors began circulating even after</p> <p>11 I was effectively banned from the boys' bathroom,</p> <p>12 but it became very common for people to create</p> <p>13 stories of Gavin bathroom encounters ranging from</p> <p>14 fairly bizarre to, you know, just -- I mean, of</p> <p>15 course, they were all fully fabricated, but</p> <p>16 perhaps that was fueled by a rumor of that nature.</p> <p>17 I don't know.</p> <p>18 Q Okay. My question is did you ever cross</p> <p>19 paths with this individual in the restroom before</p> <p>20 or on October 28, 2014, to your best recollection?</p> <p>21 A Well, absolutely -- Well, to my</p> <p>22 recollection, I do not recall seeing him.</p>	<p style="text-align: right;">96</p> <p>1 of course, the function is that it presses the</p> <p>2 tissue down against your lungs, and so that does</p> <p>3 restrict some movement, and then, on top of that,</p> <p>4 that garment did not pair very well with the gym</p> <p>5 uniform because the garment was slick and so were</p> <p>6 the pants and the shirt, and so with the garment</p> <p>7 on, the pants would not stay up and that kind of</p> <p>8 thing.</p> <p>9 Q Where did the garment -- describe the</p> <p>10 garment for me.</p> <p>11 A A tank top but that is of a somewhat</p> <p>12 stretchy material but that is nonelastic enough</p> <p>13 that it forces tissue to compress.</p> <p>14 Q So did you request to do your PE class</p> <p>15 online?</p> <p>16 A I did.</p> <p>17 Q Okay. Was there ever any discussion about</p> <p>18 doing it any other way?</p> <p>19 A What I recall of the conversation was that</p> <p>20 I don't recall who I approached truthfully, but I</p> <p>21 approached someone and said this is just not going</p> <p>22 to be possible for me, what are my options, and</p>

<p style="text-align: right;">97</p> <p>1 they at that time had offered the virtual program.</p> <p>2 Q Was it the PE teacher or was it your</p> <p>3 guidance people or was it someone else, as best</p> <p>4 you can recall?</p> <p>5 A I don't recall.</p> <p>6 Q So there was no time in 10th grade you</p> <p>7 actually attended a physical PE class at school;</p> <p>8 is that correct?</p> <p>9 A Not that I can recall.</p> <p>10 Q Okay. What do you personally know about</p> <p>11 any complaints that were received by teachers,</p> <p>12 administrators or the Superintendent or the School</p> <p>13 Board with respect to you using the boys'</p> <p>14 restroom?</p> <p>15 A Well, that question actually prompted me</p> <p>16 of a detail that I had previously failed to</p> <p>17 mention. Do you mind if I --</p> <p>18 Q Sure.</p> <p>19 A It is somewhat connected. When you asked</p> <p>20 about, you know, if I received any adult ridicule</p> <p>21 or was it peer ridicule and that sort of thing, at</p> <p>22 both of the School Board meetings, which I</p>	<p style="text-align: right;">99</p> <p>1 MR. BLOCK: Objection. Are you specifying</p> <p>2 complaints from students, complaints from parents</p> <p>3 or both?</p> <p>4 MR. CORRIGAN: Either one of those.</p> <p>5 Q Any personal knowledge you have of any of</p> <p>6 that? Not what you have heard, --</p> <p>7 A Right.</p> <p>8 Q -- not what the rumors were, but you know</p> <p>9 from someone telling you or you being present,</p> <p>10 whatever, where someone made a complaint.</p> <p>11 A I do not have any direct knowledge of</p> <p>12 anyone making a complaint. I do have a</p> <p>13 recollection of -- I don't recall if it was</p> <p>14 Collins or one of the guidance counselors or</p> <p>15 whomever.</p> <p>16 I recall at some point being told</p> <p>17 something to the effect of we have had a</p> <p>18 complaint, which time line wise, I would place</p> <p>19 probably towards the end of the 7-week period, the</p> <p>20 7-week period being, of course, when I was allowed</p> <p>21 to use the boys' bathroom.</p> <p>22 Q So the first day you were allowed,</p>
<p style="text-align: right;">98</p> <p>1 attended, which they discussed my, you know,</p> <p>2 restroom usage, the adults in the community</p> <p>3 present hurled insults, called me a freak, a dog,</p> <p>4 all sorts of hateful horrible language, and also</p> <p>5 many of them went to great lengths to refer to me</p> <p>6 with female pronouns or honorifics such as young</p> <p>7 lady, little miss, ma'am, Mrs., even going so far</p> <p>8 as to, you know, reframe a sentence to where it</p> <p>9 grammatically was not correct just to say ma'am</p> <p>10 another extra time, so that was another example of</p> <p>11 verbal abuse that I received.</p> <p>12 Then I apologize. Could you restate the</p> <p>13 question?</p> <p>14 Q The question I asked you was are you</p> <p>15 personally aware, personally, of any complaints --</p> <p>16 I want to exclude anything that was said at those</p> <p>17 meetings, --</p> <p>18 A Right.</p> <p>19 Q -- the public meetings, that were received</p> <p>20 or concerns that were expressed to teachers or</p> <p>21 counseling or administration at the school or the</p> <p>22 Superintendent or the School Board.</p>	<p style="text-align: right;">100</p> <p>1 according to all the information we have, is</p> <p>2 October 20th, and you think at some point after</p> <p>3 October 20th, Mr. Collins or someone else said we</p> <p>4 have had a complaint?</p> <p>5 A I do recall being told by some employee of</p> <p>6 the school that they were -- their knowledge was</p> <p>7 that there was a complaint.</p> <p>8 I was never given any additional details,</p> <p>9 how many complaints that was, from who it was or</p> <p>10 anything like that; and beyond that, I have no</p> <p>11 knowledge of anything.</p> <p>12 Q I mean there is no reason why you would,</p> <p>13 as a student, know --</p> <p>14 A Right.</p> <p>15 Q -- who complained of anything like that.</p> <p>16 All right. So you start using the</p> <p>17 bathroom on October 20th, and at some point do you</p> <p>18 become aware that there is going to be a School</p> <p>19 Board conversation about the use of a boys'</p> <p>20 restroom by a -- what had been previously</p> <p>21 considered to be a female student?</p> <p>22 A I was made aware less than 24 hours before</p>

<p style="text-align: right;">101</p> <p>1 the first School Board meeting because there was a</p> <p>2 Facebook post that went around urging people to</p> <p>3 show up and oppose me essentially.</p> <p>4 My mother -- a friend of my mother's had</p> <p>5 forwarded that post to her, and she -- well, and</p> <p>6 so it was decided at that point that, of course,</p> <p>7 we were going to go and -- so that was when I was</p> <p>8 made aware, less than 24 hours before it was going</p> <p>9 to happen, the first meeting.</p> <p>10 Q So the first meeting, I think by all</p> <p>11 accounts, was November 11, 2014. So less than 24</p> <p>12 hours before the meeting on November 11, 2014, is</p> <p>13 when you first became aware that the issue of the</p> <p>14 bathroom/restroom use by a previously female</p> <p>15 student who identified male was going to be</p> <p>16 discussed?</p> <p>17 A By a female -- or by a student assigned</p> <p>18 female at birth, yes.</p> <p>19 Q Okay. And how is it you became aware? I</p> <p>20 know you just told me. Who is this friend of your</p> <p>21 mother's?</p> <p>22 A I would not know.</p>	<p style="text-align: right;">103</p> <p>1 without someone telling my side of the story and</p> <p>2 there would be no one to do that but us.</p> <p>3 Q So you and your mother decided that the</p> <p>4 two of you would show up at the School Board</p> <p>5 meeting to discuss this restroom use issue?</p> <p>6 A Yes, and I independently decided that I</p> <p>7 specifically wanted to make a comment.</p> <p>8 Q What was your thinking on deciding that</p> <p>9 you wanted to make a comment?</p> <p>10 A Well, I had already been identified as the</p> <p>11 student in question, people that had spoken before</p> <p>12 me had already turned to look directly at me, and,</p> <p>13 you know, it was not a secret, it was not as if we</p> <p>14 could pretend like we didn't know who the student</p> <p>15 was, and so my thought process was that people</p> <p>16 already have identified me as the transgender</p> <p>17 child in question, and a decision about my future</p> <p>18 should not be made without myself at least</p> <p>19 expressing my input.</p> <p>20 Q Before you went to the School Board</p> <p>21 meeting, what information did you have that anyone</p> <p>22 knew who you were, I mean specifically that this</p>
<p style="text-align: right;">102</p> <p>1 Q What Facebook post was it, do you remember</p> <p>2 whose Facebook post it was or what it said?</p> <p>3 A I do not recall who made the post or</p> <p>4 anything to that effect. I just remember that it</p> <p>5 was a post essentially saying, you know, there is</p> <p>6 a girl in the boys' room and everyone show up and,</p> <p>7 you know, make that -- you know, make that stop.</p> <p>8 And, of course, there were many, many,</p> <p>9 many vile comments underneath that post, none of</p> <p>10 which I can however remember at this time.</p> <p>11 Q And who showed you the post?</p> <p>12 A My mother.</p> <p>13 Q Tell me about any conversation you had</p> <p>14 with your mother at that time about the post.</p> <p>15 A My recollection is that we were frustrated</p> <p>16 that we were not informed, in fact, we felt that</p> <p>17 that was -- that was just wrong, that we had not</p> <p>18 been informed.</p> <p>19 We also basically spoke about next steps,</p> <p>20 what do we do, and both sort of arrived at the</p> <p>21 conclusion that no one would be there to support</p> <p>22 me and they would not have the conversation</p>	<p style="text-align: right;">104</p> <p>1 was about you.</p> <p>2 A Well, because the community had been</p> <p>3 talking. I mean my peers recognized that,</p> <p>4 malicious and friendly, all recognized that I was</p> <p>5 the trans kid. You know, at that point gossip,</p> <p>6 rumors had gotten around, I don't -- I recall</p> <p>7 getting the sense that there were some comments.</p> <p>8 I don't recall if they were on that thread;</p> <p>9 however, I do remember me reading some kind of</p> <p>10 social media comment that had identified my -- my</p> <p>11 brother's -- it being my brother's sister, you</p> <p>12 know, was the language that was used.</p> <p>13 Q So you saw that somewhere?</p> <p>14 A Yes, that was -- that was something I saw</p> <p>15 at some point, where someone in the comment thread</p> <p>16 had identified like there was -- and, to be clear,</p> <p>17 currently, I am not necessarily speaking about the</p> <p>18 comment thread underneath that post that went</p> <p>19 around, there were other, you know, disparaging</p> <p>20 social media posts, which were nasty, of other</p> <p>21 people, that they didn't necessarily get shared as</p> <p>22 widely, but in comments like those, I read things</p>

<p style="text-align: right;">105</p> <p>1 like, you know, that is -- that is David's sister 2 or I know that chick or, you know, that kind of 3 thing, so it was understood fairly generally that 4 I was known to be the child. 5 Q Are you aware of any member of the School 6 Board who identified you before this meeting, in 7 other words, said this is who we are talking 8 about, this person? 9 A During the meeting? 10 Q No. Before the meeting. 11 A I didn't have any conversations with any 12 of them before the meeting. 13 Q I understand. My question, though, is are 14 you aware of any -- of any information that any 15 School Board member identified you before the 16 meeting as the person about whom this discussion 17 was occurring? 18 A No. However, one of the members of the 19 School Board, Kevin Smith, was previously a close 20 family friend, who had spoken to my mother, and I 21 don't know about what, but ahead of the School 22 Board meeting, and he assured her at that time</p>	<p style="text-align: right;">107</p> <p>1 proposed policy? 2 A I -- I don't recall exactly. I do 3 remember hearing at -- I believe at the first 4 School Board meeting, where one of the members of 5 the School Board read the proposed policy. I 6 don't recall if I had seen it before that time. 7 Q So your best recollection is the first 8 time you heard the policy was out loud, it wasn't 9 in writing? 10 A To my best recollection, yes. 11 Q Again, that's the best we can do. 12 A Right. 13 Q At the first meeting, you spoke; correct? 14 A Yes, sir. 15 Q Do you remember how many people spoke 16 before you? 17 A I don't. 18 Q Was it a large number, small number -- 19 A It -- 20 Q -- before you got up and spoke? 21 A I can remember feeling like it was ages 22 and ages, but that was -- that could be affected</p>
<p style="text-align: right;">106</p> <p>1 that he would recuse himself from the vote because 2 it was improper for him to make a distinction 3 because he knew us. 4 He then did not do that and, in fact, 5 voted against us instead. He voted, to be clear, 6 vowed to ban me from the boys' restroom instead. 7 Q He voted in favor of the resolution? 8 A Of the proposal that Miss Hook had brought 9 forward, yes. So there was at least one School 10 Board member who was aware of the identity of the 11 child. 12 Q You don't have any information that 13 Mr. Smith told anyone else that you were the 14 child? 15 A I don't have any information that that 16 happened, no. But I -- I also have nothing to, 17 you know, present that ensures that it was not 18 something that happened as well. 19 Q You just don't know? 20 A I don't know. 21 (Discussion held off the record.) 22 Q When did you first see the policy, the</p>	<p style="text-align: right;">108</p> <p>1 by how anxious I was, of course, so I really 2 wouldn't be able to give a good metric. 3 Q Did you speak first or did your mom speak 4 first? 5 A I don't recall. 6 Q Had you prepared your remarks? 7 A Yes, I had; however, I went primarily off 8 script. I don't -- and I have not ever retained a 9 copy of what I was prepared to say. 10 Q So you don't have your original notes? 11 A I do not. 12 Q When you decided to attend this first 13 School Board meeting, which was on November 11 of 14 2014, who else did you discuss that with besides 15 your mom? 16 A I don't recall. 17 Q Like you don't -- is it you don't recall 18 because it may have been a bunch of people, you 19 just don't know who they are, or you don't think 20 you talked to anybody else? 21 A I don't believe I spoke to anybody else, 22 but I do not recall that with certainty.</p>

<p>109</p> <p>1 Q Sure. When did you first speak to any</p> <p>2 person who was an attorney or who was looking at</p> <p>3 this from kind of a legal standpoint?</p> <p>4 A I do not recall if that happened before</p> <p>5 the second meeting or after the second meeting, I</p> <p>6 can't place that.</p> <p>7 Q Do you remember how it occurred, like</p> <p>8 whether it was a phone call or in person?</p> <p>9 A I cannot clearly recall how I was</p> <p>10 initially connected with the ACLU.</p> <p>11 Q Was it the ACLU the first people you</p> <p>12 talked with?</p> <p>13 A Yes.</p> <p>14 Q Tell me about your recollection of that</p> <p>15 first meeting. We've kind of talked about it. So</p> <p>16 was it a full house in the meeting room?</p> <p>17 A The individual comments, I referenced</p> <p>18 being called a freak, someone likening me to a dog</p> <p>19 peeing on a hydrant, those kind of things --</p> <p>20 THE COURT REPORTER: I am sorry. A dog?</p> <p>21 I couldn't hear you.</p> <p>22 MR. CORRIGAN: Peeing on a hydrant.</p>	<p>111</p> <p>1 you started any hormone therapy at that time?</p> <p>2 A I do not -- I do not recall. I know that</p> <p>3 the -- that me and my family were actively working</p> <p>4 on, you know, the goal of getting that treatment</p> <p>5 from -- essentially from the point at which the</p> <p>6 rest of my family became aware of who I was, and</p> <p>7 from that point on we looked at next steps being</p> <p>8 hormone replacement therapy and that sort of</p> <p>9 thing, so --</p> <p>10 Q Where did you receive hormone therapy?</p> <p>11 Who was guiding it, I guess is what I am asking.</p> <p>12 A A doctor in Richmond at the VCU -- on the</p> <p>13 VCU campus. I do not -- she was a pediatric</p> <p>14 endocrinologist, I do not recall her name, but</p> <p>15 that she was a woman.</p> <p>16 Q Have you gone back and watched the video</p> <p>17 of either of the two School Board meetings?</p> <p>18 A Not -- not deliberately. The footage has</p> <p>19 been used in other videos that I have participated</p> <p>20 in, for example, like a voting PSA, where they</p> <p>21 will use a 3-second clip or whatever; however, I</p> <p>22 have not watched those clips from start to finish</p>
<p>110</p> <p>1 A A dog urinating on a hydrant.</p> <p>2 THE COURT REPORTER: Thank you.</p> <p>3 A Comments like that, I do not recall if</p> <p>4 they were in the first or second meeting.</p> <p>5 Q I think it was the second, but I am just</p> <p>6 adding, your recollection is what matters.</p> <p>7 A Right. However, in the first meeting,</p> <p>8 what I do recall is that there were fewer people</p> <p>9 than in the second meeting, but that there were</p> <p>10 still -- it still seemed fairly full.</p> <p>11 Q And do you remember where -- did other</p> <p>12 students speak at the first meeting, or, again, do</p> <p>13 they run together?</p> <p>14 A I -- I really -- they -- to some extent,</p> <p>15 they do run together. I do not recall if any</p> <p>16 student spoke at the first meeting.</p> <p>17 Q Do you remember what happened after the</p> <p>18 first or the result at the first meeting, what the</p> <p>19 School Board did?</p> <p>20 A They postponed the decision to rule for</p> <p>21 the next meeting, following.</p> <p>22 Q At this time, on November 11 of 2014, had</p>	<p>112</p> <p>1 at any point.</p> <p>2 Q Do you have any recollection of how many</p> <p>3 people spoke at either occasion?</p> <p>4 A No.</p> <p>5 Q In your lawsuit, on paragraph 53, it says</p> <p>6 the policy does not define biological gender and</p> <p>7 the term has no common or accepted meaning. There</p> <p>8 are many biological components of sex, including</p> <p>9 chromosomal, anatomical, hormonal and reproductive</p> <p>10 elements, some of which could be ambiguous or in</p> <p>11 conflict within an individual, either because that</p> <p>12 individual has intersex traits or because that</p> <p>13 individual has undergone medical care for gender</p> <p>14 dysphoria.</p> <p>15 That's what the paragraph says. So I have</p> <p>16 some questions that I want to ask you, just to</p> <p>17 make sure I am clear and that the record is clear</p> <p>18 on this.</p> <p>19 Do you have intersex traits?</p> <p>20 A I have never been diagnosed as intersex.</p> <p>21 Q The terms that are used here, chromosomal,</p> <p>22 anatomical, hormonal and reproductive elements,</p>

<p>113</p> <p>1 what is your understanding of your chromosomal 2 elements? 3 A I -- well, I was assigned female at birth, 4 so I would assume that there are two X 5 chromosomes; however, differences in that are very 6 common, and often you go your whole life without 7 knowing them, so, to my knowledge, XX; however, I 8 don't know that that's ever been formally tested. 9 Q How about anatomical elements. What is 10 your understanding of your anatomical elements? 11 A With respect to what, sir? 12 Q With respect to the many biological 13 components of sex. 14 A Do you mind rephrasing the question? 15 Q Again, the allegation is there are many 16 biological components of sex including 17 chromosomal, anatomical, hormonal and reproductive 18 elements, some of which could be ambiguous or in 19 conflict within an individual, either because that 20 individual has intersex traits or because that 21 individual has undergone medical care for gender 22 dysphoria.</p>	<p>115</p> <p>1 A Okay. 2 Q That's what I am trying to understand. 3 A And my apologies, I hate to ask you to 4 restate this, but just because there are some 5 dialogue and my train of thought has been 6 disrupted, but, please, I'm sorry -- 7 Q I don't mind at all. 8 A Thank you, sir. 9 Q Because this is not a normal type of 10 question that gets asked in a deposition, I can 11 tell you. 12 A Right. 13 (Recess from 12:10 p.m. to 12:15 p.m.) 14 Q All right. So the question has to do with 15 your understanding of whether -- The term 16 biological gender is what is in the policy, of 17 course; and the allegation is there are many 18 biological components of sex including, I asked 19 you about chromosomal, and you have answered as 20 best you understand, which is all I am asking, 21 this is not you kind of speaking as a lawyer, you 22 are not speaking as a doctor, you are speaking as</p>
<p>114</p> <p>1 So the question I am asking is, with 2 respect to the anatomical elements, your 3 particular anatomical elements, is there any 4 indication, I guess, reading this paragraph, 5 intersex traits, which I think we've said there 6 isn't, and then other ambiguities of any sorts? 7 MR. BLOCK: I am going to object, before 8 you answer, which is that this is a legal 9 allegation in the Complaint, not a prior statement 10 by Gavin, so, you know, you can -- he can answer 11 to the extent he is saying his understanding of 12 those terms but -- 13 MR. CORRIGAN: Absolutely. 14 MR. BLOCK: But he is not the author. 15 MR. CORRIGAN: That's all I am asking. 16 A But pardon me for still being confused, 17 but are you asking me what my understanding of 18 that would be? 19 Q Yes. With respect to -- I am breaking it 20 down into chromosomal, anatomical, hormonal and 21 reproductive because that's how it is broken down 22 in the allegation.</p>	<p>116</p> <p>1 Gavin. 2 So the question is, with respect to your 3 anatomical elements, some of which could be 4 ambiguous or in conflict, what is your 5 understanding of your anatomical elements? 6 A My understanding of my anatomical elements 7 are that -- well, first and foremost, the -- 8 growing up, even when I still had long hair and 9 would wear girls' clothing, I would be asked 10 sometimes by other students, I remember one time 11 on the elementary school bus, some kid asked me if 12 I was a boy or a girl, and at that time I was even 13 presenting as a girl, and that has persisted 14 throughout my life. 15 As soon as I cut my hair, I was gender 16 male pretty much in every facet of public life, 17 and so at that point I looked pretty much like a 18 boy, even before hormone replacement therapy. 19 So -- so my understanding of that would be 20 that I suppose I did look masculine enough that, 21 for example, when I did go into women's restrooms, 22 I was chased out or scrutinized or yelled, you</p>

<p>117</p> <p>1 know, you are not supposed to be in here, that 2 happened a few times in public, where women would 3 say that I was in the wrong place and I needed to 4 leave.</p> <p>5 Q All right. How about specific -- your 6 specific -- I guess that goes over to reproductive 7 elements.</p> <p>8 Same question. What are the -- your 9 reproductive elements.</p> <p>10 A If I may clarify, are you asking what 11 procedures I may or may not have had?</p> <p>12 Q Sure.</p> <p>13 A Okay. I do not have breasts, and I do not 14 have the ability to bear children because of 15 hormone replacement therapy, basically making that 16 not something that I can do.</p> <p>17 Q Let's go back to on November 11, 2014 and 18 December 9, 2014, in terms of your reproductive 19 elements, what was the status then?</p> <p>20 A In 2014 you said?</p> <p>21 Q Yes, sir.</p> <p>22 A That would have been that I had present</p>	<p>119</p> <p>1 person assigned female at birth, that it delayed 2 treatment for hormone replacement because I was so 3 naturally high in testosterone, that they thought 4 there could be another issue.</p> <p>5 Q When they said they thought there could be 6 another issue, what was the other issue they 7 thought there could be?</p> <p>8 A Perhaps a tumor on my pituitary gland and 9 increasing testosterone production or polycystic 10 ovarian syndrome, which would increase 11 testosterone production in some people. I was 12 tested and was cleared of everything.</p> <p>13 Q But you just naturally had higher levels 14 of testosterone than most females?</p> <p>15 A Most people assigned female at birth, yes.</p> <p>16 Q All right. We got through that. All 17 right.</p> <p>18 After the November 11 meeting, there is 19 a -- this is paragraph 57 of the Complaint -- it 20 talks about the press release and the plans to 21 designate single stall, unisex restrooms, to give 22 all students the option for even greater privacy.</p>
<p>118</p> <p>1 breasts and was by -- I had yet to go through 2 hormone replacement therapy; however, I -- again, 3 I used a chest-binding garment every single 4 solitary time I stepped out of the house, so the 5 appearance to pretty much everyone was that I did 6 not have breasts.</p> <p>7 Q Okay. What about the actual reproductive 8 elements at that time?</p> <p>9 A Well, I had gone -- at that point I had 10 gone through female puberty and had done nothing 11 to disrupt the functions of those organs, so those 12 were fully functioning.</p> <p>13 Q Okay. Then the last one is hormonal is 14 the other term that is used in the description of 15 the many biological components of sex.</p> <p>16 What are the hormonal elements in December 17 or November 11th and December 9th of 2014?</p> <p>18 A Well, the hormonal elements would be that 19 I was yet to -- I was not yet receiving 20 testosterone injections and that my body was 21 producing estrogen; however, that my free 22 testosterone levels were elevated enough for a</p>	<p>120</p> <p>1 Do you remember becoming aware of that in 2 this time frame, that the School Board had 3 announced that they were going to be doing that?</p> <p>4 A What I was aware of in that situation -- I 5 heard the announcement by the School Board at that 6 time. My recollection is that they announced that 7 the restrooms were ready; however, I was aware of 8 their construction before that point because they 9 were, you know, being constructed while we were 10 going to school, and, in fact, those restrooms, 11 however, were as they were stated to be completed, 12 they were absolutely not completed or usable for I 13 think around a week after the statement was that 14 they were ready.</p> <p>15 Q Sure. In fairness, the press release 16 occurs after the November 11 meeting, that they're 17 going to do it, and then we have documents in the 18 case that show when they bid it out and somebody 19 took the job and then the job was done, and it 20 is -- it is December, possibly even later, when it 21 is actually completed.</p> <p>22 A So I misunderstood --</p>

<p style="text-align: right;">121</p> <p>1 Q My question is when did you become aware 2 they were going to do that.</p> <p>3 A Yes, sir. I misunderstood. Press release 4 wise, I thought you were referring to what was 5 said at the meeting, I apologize.</p> <p>6 When I became aware that those bathrooms 7 were being constructed was I suppose when they -- 8 when the construction began, which was before the 9 second School Board meeting, as far as I can 10 recall.</p> <p>11 Q Okay. When you became aware that they 12 were, in fact, going to create single stall, 13 unisex restrooms for all students, not designated 14 Gavin's restroom, but the statement is for all 15 students, did you consider that as whether that 16 would meet your needs?</p> <p>17 A Absolutely not.</p> <p>18 Q And what did you consider? What did you 19 decide, who did you speak with about that?</p> <p>20 A I -- I don't recall who I approached or if 21 I approached anyone from school at that point. I 22 believe somewhere in that time period was when I</p>	<p style="text-align: right;">123</p> <p>1 me not allowed, not permitted to be with my peers 2 in common spaces.</p> <p>3 In addition to that, the unisex restrooms 4 were all -- were mostly all clustered together and 5 not really very much closer than the nurse's 6 office from my D-Hall classes, and so the idea was 7 that they were more convenient, but, in fact, they 8 were not.</p> <p>9 Q Okay. Who did you discuss this with in 10 this initial time frame?</p> <p>11 A This initial time frame?</p> <p>12 Q Did you discuss it with your mom, did you 13 discuss it with anyone else? I am talking about 14 the time frame around November 11, before the 15 work -- before it is done, the fact it is going to 16 be done and whether you are going to continue to 17 object.</p> <p>18 If they're going to do this, it is 19 conceivable that someone in your position might 20 say it is not what I want but that's good enough, 21 but you reached the conclusion that -- it was not 22 what you wanted, so who were you talking to about</p>
<p style="text-align: right;">122</p> <p>1 was contacted -- we -- my family was in contact 2 with the ACLU, I -- my recollection at the time 3 was that was the final decision, and there was 4 nothing -- no one I could talk to and nothing I 5 could do to change that within the school.</p> <p>6 Q What about the idea of just going along 7 with that and saying I can live with this 8 alternative, this single stall, unisex restrooms, 9 don't have to go to the girls' room, I can -- I 10 can go to these other restrooms.</p> <p>11 A Part of -- so certainly, the language was 12 that they were for all students to use; however, I 13 was the only student mandated to use them, I was 14 the only student that had no option in the school 15 other than in a single stall restroom, and that 16 was part of the reason why I did not think that 17 was an appropriate thing to go along with.</p> <p>18 The other reason being I am a boy and it 19 felt to me that it was humiliating and 20 stigmatizing for the school to or not the school 21 perhaps, the School Board to take the position 22 that there was something wrong with me that made</p>	<p style="text-align: right;">124</p> <p>1 that at that time?</p> <p>2 A I -- it wasn't something that I discussed 3 in terms with anybody in terms of, you know, hey, 4 Mom, what should I do. It was more like -- for 5 example, I approached my mother, and I said I 6 cannot be discriminated against in this way, I 7 cannot go for three years of my high school career 8 being shoved off into, you know, a converted broom 9 closet where only I am mandated to go.</p> <p>10 That -- staring down three years of that 11 was so devastating to me, that there was not a 12 question of if or not I would stand for that, so 13 when I had conversations with, for example, with 14 my mother about next steps, I said this is wrong, 15 this hurts me, what can we do.</p> <p>16 Those were the conversation that we had.</p> <p>17 Q Did you ever talk to any other transgender 18 youths, not necessarily in Gloucester, but just 19 anywhere, about restrooms and about -- again, in 20 this time frame between November 11 and 21 December 9, accommodations, whether it -- how big 22 of a deal this is, how much trouble this is, that</p>

<p>125</p> <p>1 kind of thing?</p> <p>2 A I did not.</p> <p>3 Q Okay. Were you talking to your counselor</p> <p>4 or other -- not school counselor but the person</p> <p>5 you were consulting with, Miss Griffin or someone</p> <p>6 else about it?</p> <p>7 A I -- I didn't -- I don't -- I didn't seek</p> <p>8 counsel from them. I do not recall any individual</p> <p>9 conversations that I had with any of my mental</p> <p>10 healthcare providers.</p> <p>11 Q It was clear to you from the start, this</p> <p>12 was not an option that you were interested in?</p> <p>13 A Yes. If I may.</p> <p>14 Q Sure.</p> <p>15 A Part of that -- part of that</p> <p>16 decision-making process was also that for that</p> <p>17 7-week period, where I was respected as a boy and</p> <p>18 able to use the boys' bathroom, I was -- I was</p> <p>19 excited about the prospect of living out the rest</p> <p>20 of my school year as just another student, without</p> <p>21 having to face down discrimination every time I</p> <p>22 had to use the bathroom, and that 7-week sort of</p>	<p>127</p> <p>1 offended.</p> <p>2 They generally all -- generally speaking,</p> <p>3 they all came from a viewpoint that I was a girl,</p> <p>4 which is offensive to me, but then, for sure,</p> <p>5 there was a minority of those who were</p> <p>6 specifically malicious, for example, like the</p> <p>7 hydrant.</p> <p>8 Q At any point did you regret going forward</p> <p>9 for yourself, like appearing at the first meeting,</p> <p>10 appearing at the second meeting?</p> <p>11 A Absolutely not.</p> <p>12 Q Why not?</p> <p>13 A I understood that, if I did not, that that</p> <p>14 conversation would be held without me and with no</p> <p>15 one to support me, and if it is a conversation</p> <p>16 about my future, I felt that I should be included.</p> <p>17 Q It says, in paragraph 60, you felt like</p> <p>18 you had been turned into a public spectacle.</p> <p>19 If you had not appeared, would you have</p> <p>20 been a public spectacle?</p> <p>21 A I believe so.</p> <p>22 Q How so?</p>
<p>126</p> <p>1 grace period was when I was most comfortable in</p> <p>2 that school, and so having experienced that and</p> <p>3 then to have it taken away was part of the reason</p> <p>4 why I was aware that it just was not -- it was</p> <p>5 just not acceptable for what I thought was</p> <p>6 correct.</p> <p>7 Q Again, moving through the Complaint,</p> <p>8 paragraph 59 talks about the second meeting at</p> <p>9 which a speaker calls you a freak, a dog urinating</p> <p>10 on hydrants, that kind of thing.</p> <p>11 Do you have a recollection of there being</p> <p>12 approximately 28 to 30 people who spoke?</p> <p>13 A That's not a number I would contest, but I</p> <p>14 didn't count.</p> <p>15 Q Do you remember how many of them you felt</p> <p>16 like were disrespectful towards you?</p> <p>17 A I felt that barring the party that was</p> <p>18 with me and one individual, who seemed fairly</p> <p>19 supportive, perhaps neutral, I feel like every</p> <p>20 single -- every other person was absolutely in</p> <p>21 opposition. Of those people, I mean the</p> <p>22 statements were all, you know, I felt personally</p>	<p>128</p> <p>1 A The community, like I stated previously,</p> <p>2 the community was already aware of who it was that</p> <p>3 was in question, the rumors had already spread.</p> <p>4 I was in the position where it was common</p> <p>5 knowledge, to my understanding, it was my</p> <p>6 understanding that the community -- it was</p> <p>7 community common knowledge that I was the</p> <p>8 individual, and I was willing to assume additional</p> <p>9 risk just because I had already been -- I had</p> <p>10 already been discriminated against, I had already</p> <p>11 been humiliated, I had already been gossiped about</p> <p>12 widely, and I felt that not speaking on my behalf</p> <p>13 would not have served me.</p> <p>14 Q Have you ever been in the single stall</p> <p>15 restrooms?</p> <p>16 A Not that I can recall.</p> <p>17 Q Okay. I mean have you seen the layout?</p> <p>18 A Yes, I -- yes.</p> <p>19 Q How did you see the layout, if you didn't</p> <p>20 go in?</p> <p>21 A I mean I looked, the door was open and I</p> <p>22 looked. Well, perhaps may I reframe? I never</p>

<p>129</p> <p>1 used them.</p> <p>2 Q Right.</p> <p>3 A But, of course, I looked once or twice,</p> <p>4 just to see what they look like, but I did never</p> <p>5 use them.</p> <p>6 Q There is a claim in here that no one else</p> <p>7 ever used them. Do you know whether other people</p> <p>8 used those restrooms or not, I mean of your own</p> <p>9 personal knowledge?</p> <p>10 A The -- the area that those bathrooms were</p> <p>11 positioned in was visible from where I would</p> <p>12 often, me and my friend group would often sit for</p> <p>13 lunch, and I never really saw any traffic in that</p> <p>14 time. Of course, I did not monitor those</p> <p>15 bathrooms 24/7, and I could not say that they were</p> <p>16 never used ever; however, it did not appear to be</p> <p>17 a high traffic area.</p> <p>18 Q All right. After the second meeting, on</p> <p>19 December 9, word was passed to you about what the</p> <p>20 decision was, and you had a meeting, I think with</p> <p>21 the principal, is that right, or do you recall?</p> <p>22 A I don't recall.</p>	<p>131</p> <p>1 school because it didn't feel like a safe or</p> <p>2 welcoming environment, and, as a result of that</p> <p>3 anxiety and as of holding that urine, I had</p> <p>4 urinary tract infections pretty consistently off</p> <p>5 and on through high school, to the extent that I</p> <p>6 assumed that it was just a problem that I, as a</p> <p>7 person, have; however, as soon as I left high</p> <p>8 school and, of course, used bathrooms freely, that</p> <p>9 problem disappeared.</p> <p>10 Q You had mentioned safe and welcoming</p> <p>11 environment. The bathroom that you used at school</p> <p>12 when you went was in the nurse's office; is that</p> <p>13 right?</p> <p>14 A Yes.</p> <p>15 Q Was that unsafe?</p> <p>16 A The nurse's office bathroom was not</p> <p>17 unsafe. When I say safe and welcoming</p> <p>18 environment, I am speaking about the broader</p> <p>19 culture of the bathroom policies in the school</p> <p>20 and -- and of, you know, being fearful to opening</p> <p>21 myself to more ridicule, you know, like I said,</p> <p>22 when I take so long or when students see me go</p>
<p>130</p> <p>1 Q Okay. Do you remember having any</p> <p>2 conversation with anyone about here is the system</p> <p>3 going forward, you are not going to be allowed to</p> <p>4 use the boys' restrooms any more, you can go in</p> <p>5 the ladies room or you can go to these three</p> <p>6 single stall or the nurse's office?</p> <p>7 A I -- I -- I do recall that conversation</p> <p>8 with Nate Collins.</p> <p>9 Q Okay.</p> <p>10 A The conversation where he explained the</p> <p>11 new parameters.</p> <p>12 Q Okay. From that point forward, did you</p> <p>13 follow the parameters?</p> <p>14 A Yes.</p> <p>15 Q One of the allegations in here is that you</p> <p>16 had painful urinary tract infections. Is that --</p> <p>17 tell me about that.</p> <p>18 A I had -- so part of the anxiety in school</p> <p>19 was that, of course, the trip is long, I don't</p> <p>20 want to miss instructional time and it is</p> <p>21 embarrassing, and so often times, I would just do</p> <p>22 my best to avoid having to use the bathroom at</p>	<p>132</p> <p>1 into the nurse's office bathroom, as well, if I</p> <p>2 may clarify, how the nurse's office is set up is</p> <p>3 that, to go to the bathroom, you walk through sort</p> <p>4 of an infirmary, and so students may see me go</p> <p>5 into the bathroom, you know, as opposed to, you</p> <p>6 know, being at the nurse for any other reason, and</p> <p>7 so that identifies me, you know, in my opinion,</p> <p>8 per my anxiety, that felt to me like that was</p> <p>9 identifying me, again, as a student who was not</p> <p>10 capable of using shared spaces and I had to go to</p> <p>11 this place.</p> <p>12 Q So if you went to the hallway where the</p> <p>13 three single stalls are, there is not a lot of</p> <p>14 classrooms there; is that right?</p> <p>15 A Yes, it is not in a hallway that has many</p> <p>16 classrooms.</p> <p>17 Q So the likelihood of encountering another</p> <p>18 student outside of lunch time would be pretty</p> <p>19 minimal, wouldn't it?</p> <p>20 A No, sir. I mean students, for whatever</p> <p>21 reason, may be walking down the hall at any time,</p> <p>22 to go to the office, to go to another class. I</p>

<p>133</p> <p>1 mean there is pretty consistent foot traffic in</p> <p>2 the hallways throughout the day.</p> <p>3 Q All right. Is there something about going</p> <p>4 into a communal restroom that you wanted to have</p> <p>5 that experience?</p> <p>6 A I --</p> <p>7 Q I am not asking that facetiously. I mean,</p> <p>8 literally, an argument could be made, having a</p> <p>9 single stall restroom is preferable to going in a</p> <p>10 joint restroom and going to the bathroom.</p> <p>11 A Perhaps not when it is a discriminatory</p> <p>12 practice. I -- There was no aspect of the</p> <p>13 communal nature of the men's bathroom that I was</p> <p>14 attracted to, it was the fact that I was a male</p> <p>15 student and that is where the male students go to</p> <p>16 the bathroom, and, you know, anything short of me</p> <p>17 doing that communicated to me that, you know, not</p> <p>18 necessarily the school, the School Board's</p> <p>19 decision, but that the administration felt that,</p> <p>20 in fact, my identity was not correct and,</p> <p>21 therefore, I was not permitted to be in the spaces</p> <p>22 that other boys were permitted to be in.</p>	<p>135</p> <p>1 Complaint.</p> <p>2 Did any doctor ever diagnose you as having</p> <p>3 urinary tract infections?</p> <p>4 A I -- I do not recall if there had ever</p> <p>5 been a formal diagnosis.</p> <p>6 Q Did you seek treatment?</p> <p>7 A I -- I used over-the-counter solutions</p> <p>8 designed for urinary tract infections, which</p> <p>9 improved the condition.</p> <p>10 Q What did you use?</p> <p>11 A One example being a medication called Azo,</p> <p>12 that is A-Z-O.</p> <p>13 Q Did any doctor ever prescribe anything for</p> <p>14 you for urinary tract infections?</p> <p>15 A I do not recall.</p> <p>16 Q Did any doctor ever tell you that your</p> <p>17 urinary tract infections were caused by your not</p> <p>18 using the restroom during the day at school?</p> <p>19 A I do not recall.</p> <p>20 Q So when you say you do not recall, do you</p> <p>21 ever remember speaking to any doctor at any time</p> <p>22 about urinary tract infections?</p>
<p>134</p> <p>1 Q Let me ask you this question. If you had</p> <p>2 been allowed to go in the boys' room or the single</p> <p>3 stall restroom, would you have ever used the</p> <p>4 single stall restrooms?</p> <p>5 A No, I would go in the boys' room because</p> <p>6 they were closer to my classes.</p> <p>7 Q What about if you were at lunch time and</p> <p>8 it was closer to your class to use the single</p> <p>9 stall?</p> <p>10 A Perhaps in that case, if it was the</p> <p>11 closest option and I wasn't being actively forced</p> <p>12 to use those and those alone, but I mean the --</p> <p>13 again, for example, if I was in D-Hall, where</p> <p>14 those bathrooms are, it's almost as far as going</p> <p>15 to the nurse's office, I would, of course, use</p> <p>16 those.</p> <p>17 MR. CORRIGAN: Sure. I understand.</p> <p>18 Lunch is here?</p> <p>19 (Recess from 12:35 p.m. to 1:15 p.m.)</p> <p>20 BY MR. CORRIGAN:</p> <p>21 Q Now, the urinary tract infections, we</p> <p>22 talked about that. It is in paragraph 68 of your</p>	<p>136</p> <p>1 A I do not recall if I did or did not, but I</p> <p>2 also do not recall not having seen a doctor. I --</p> <p>3 I -- it may have come up in an appointment, I just</p> <p>4 do not recall definitively enough to say yes or</p> <p>5 no.</p> <p>6 Q Okay. Where does this notion come from</p> <p>7 that you have urinary tract infections because of</p> <p>8 not using the restroom as frequently as you felt</p> <p>9 like you might have needed to during the day?</p> <p>10 A In part, because it is -- as I understood</p> <p>11 it, it is something that is -- can be known to</p> <p>12 increase urinary tract infections.</p> <p>13 In addition, the second that I was in an</p> <p>14 environment for any extended period of time where</p> <p>15 I did not have restrictions for bathroom use, for</p> <p>16 example, summer vacation or post graduation, the</p> <p>17 problem eliminated itself entirely.</p> <p>18 Q Okay. During your 11th grade year, did</p> <p>19 you use the restroom regularly then?</p> <p>20 A I --</p> <p>21 MR. BLOCK: Objection. If you could</p> <p>22 specify a time period within that year.</p>

<p>137</p> <p>1 Q Just during the year, in 11th grade.</p> <p>2 A I suppose I don't understand the question.</p> <p>3 Are you asking did I use the bathroom?</p> <p>4 Q Regularly.</p> <p>5 A Do you mind reframing?</p> <p>6 Q Sure. In the 11th grade, where did you</p> <p>7 attend school?</p> <p>8 A Gloucester High School.</p> <p>9 Q During any part of that school year, did</p> <p>10 you go to T.C. Walker and were you part of the</p> <p>11 SOAR or some other program?</p> <p>12 A Yes. I don't recall what it was called,</p> <p>13 however, the program.</p> <p>14 Q Tell me what you recall, what part of the</p> <p>15 year you were at Gloucester High School and what</p> <p>16 part of the year you were at T.C. Walker or some</p> <p>17 other location.</p> <p>18 A I don't recall when I went to T.C. Walker.</p> <p>19 I -- I -- I don't recall at what point in that</p> <p>20 school year that I started going to T.C. Walker.</p> <p>21 It coincides with a month-long absence from</p> <p>22 school, and following that I returned in the</p>	<p>139</p> <p>1 Q Do you remember the fall or spring</p> <p>2 semester?</p> <p>3 A No, I do not.</p> <p>4 Q Where were you?</p> <p>5 A I was in a -- a VCU hospital.</p> <p>6 Q What was it that resulted in you spending</p> <p>7 time at a VCU hospital?</p> <p>8 A I had -- I was struggling with mental</p> <p>9 health.</p> <p>10 Q What was the struggle?</p> <p>11 A Do you mind reframing the question?</p> <p>12 Q You said you were struggling with mental</p> <p>13 health, that's why you were hospitalized at VCU,</p> <p>14 for an extended period of time during 11th grade.</p> <p>15 I am trying to figure out what was the</p> <p>16 issue, what was the mental health issue that you</p> <p>17 were struggling with?</p> <p>18 A I see. I am sorry. I misunderstood you</p> <p>19 the first time.</p> <p>20 I was admitted for suicidality and treated</p> <p>21 for a range of things including depression,</p> <p>22 anxiety, suicidality.</p>
<p>138</p> <p>1 capacity of the program at T.C. Walker.</p> <p>2 Q Okay. Let's go back and talk about the</p> <p>3 foundation. The 10th grade, your entire 10th</p> <p>4 grade year, you were at Gloucester High School; is</p> <p>5 that correct?</p> <p>6 A To the best of my recollection, yes.</p> <p>7 Q Was there any extended absence during your</p> <p>8 10th grade year?</p> <p>9 A I don't recall.</p> <p>10 Q All right. 11th grade. We have already</p> <p>11 talked a little bit, and some portion of that year</p> <p>12 you were at T.C. Walker, which is a separate</p> <p>13 building in a -- in a separate program; is that</p> <p>14 correct?</p> <p>15 A Yes, sir.</p> <p>16 Q Was there also an extended period of time</p> <p>17 when you were out of school?</p> <p>18 A Yes.</p> <p>19 Q Okay. When was that?</p> <p>20 A I do not recall the date.</p> <p>21 Q Fall of 2015?</p> <p>22 A I don't recall.</p>	<p>140</p> <p>1 Q We are here on this case, obviously. Does</p> <p>2 any of that relate in your mind to the bathroom</p> <p>3 use/restroom use at Gloucester High School?</p> <p>4 A Yes.</p> <p>5 Q In what way?</p> <p>6 A It -- to be -- to have to go to an</p> <p>7 environment every single day, five days of the</p> <p>8 week, where I felt unsafe, the environment made me</p> <p>9 anxious, I didn't feel respected, it had a massive</p> <p>10 impact on my overall mental health and ability to</p> <p>11 function.</p> <p>12 Q In what way does the restroom,</p> <p>13 specifically the restroom use make you feel</p> <p>14 unsafe?</p> <p>15 A It -- the policy of segregating me from my</p> <p>16 peers sets a -- an environment where I understand</p> <p>17 that I will not be fully respected as who I am,</p> <p>18 and that contributes to an overall feeling that it</p> <p>19 is not an environment I will be safe in, it is</p> <p>20 not, and by safe, I do not mean fear of my peers</p> <p>21 doing anything or anything to that effect, I mean</p> <p>22 mentally safe as in I did not feel confident that</p>

<p style="text-align: right;">141</p> <p>1 was an environment where my best interests were</p> <p>2 kept at heart and where I was able to function in</p> <p>3 a way that was most conducive to my mental health</p> <p>4 and success.</p> <p>5 Q Did you have check-ins with any of your</p> <p>6 counselors during this school year?</p> <p>7 MR. BLOCK: During his junior school year?</p> <p>8 MR. CORRIGAN: Yes.</p> <p>9 A I don't recall if it was during -- if I</p> <p>10 had any during junior year.</p> <p>11 Q Did at any point, and then let's talk</p> <p>12 about 10th, 11th or 12th grade, did you check in</p> <p>13 with any of the counseling staff, specifically</p> <p>14 Miss Durr and Mr. Lord?</p> <p>15 A I believe -- I believe there were</p> <p>16 instances where I -- we had had a -- a brief</p> <p>17 meeting, to touch base, a few different times. I</p> <p>18 don't recall with who, was it Miss Durr or</p> <p>19 Mr. Lord, I don't recall exactly, but --</p> <p>20 Q Were you a member of any clubs?</p> <p>21 A I was the -- I believe vice president of</p> <p>22 the Gender and Sexuality Alliance or, rather, we</p>	<p style="text-align: right;">143</p> <p>1 A Yes, sir.</p> <p>2 Q Was there a faculty advisor for that</p> <p>3 group?</p> <p>4 A Yes.</p> <p>5 Q Who was that?</p> <p>6 A Matthew Lord.</p> <p>7 Q So when you had meetings, was Mr. Lord</p> <p>8 typically there?</p> <p>9 A Are you asking if those meetings took</p> <p>10 place at the Equality Club meetings?</p> <p>11 Q I am asking if the Gay-Straight Alliance</p> <p>12 or Equality Club had a meeting, would Mr. Lord be</p> <p>13 present?</p> <p>14 A I don't recall that -- oh, pardon. I</p> <p>15 misunderstood what you were asking.</p> <p>16 He was present for all of our -- you know,</p> <p>17 we met like once a week after school, and he was</p> <p>18 present every time.</p> <p>19 Q What time of day would you meet?</p> <p>20 A I don't recall exactly the time, it was</p> <p>21 after school hours.</p> <p>22 Q Okay. Where would you meet?</p>
<p style="text-align: right;">142</p> <p>1 called it the Equality Club, I do not recall what</p> <p>2 year that I was in the position.</p> <p>3 Q Gender and Sexuality Alliance, GSA?</p> <p>4 A Yes, sir.</p> <p>5 Q But y'all called it the Equality Club?</p> <p>6 A Yes, sir.</p> <p>7 Q Was it actually known as the Equality Club</p> <p>8 or was that kind of a nickname?</p> <p>9 A Well, when I began in the GSA, it was</p> <p>10 called the Gay-Straight Alliance, and I personally</p> <p>11 raised the concern that that did not honor the</p> <p>12 diversity of students that might seek the service,</p> <p>13 and so at that time we called it the Equality</p> <p>14 Club.</p> <p>15 Q Was it formally changed to Gender and</p> <p>16 Sexuality Alliance at any point?</p> <p>17 A GSA currently stands for Gender and</p> <p>18 Sexuality Alliance only, as far as their national</p> <p>19 branding goes.</p> <p>20 Q But back when you were in 10th, 11th, 12th</p> <p>21 grade, it was Gay-Straight Alliance and then later</p> <p>22 Equality Club?</p>	<p style="text-align: right;">144</p> <p>1 A I don't recall.</p> <p>2 Q How many people approximately would attend</p> <p>3 the meetings? I mean I am trying to see, is it 5</p> <p>4 or 20, 50?</p> <p>5 A Between 5 and 10 --</p> <p>6 Q Okay.</p> <p>7 A -- traditionally.</p> <p>8 Q Were the other members people you</p> <p>9 identified as your friends, or were there people</p> <p>10 besides that?</p> <p>11 A Not necessarily. I was acquainted with</p> <p>12 most of them but was not close personal friends</p> <p>13 with any of them that I recall.</p> <p>14 Q What would you -- what would the</p> <p>15 meetings -- What would happen at the meetings?</p> <p>16 A I really don't remember.</p> <p>17 Q I mean conversation, were there</p> <p>18 activities?</p> <p>19 A I don't recall. I -- I really couldn't</p> <p>20 tell you. The only thing I do recall is that</p> <p>21 ahead of something like the Day of Silence, we</p> <p>22 discussed what our role would be in that, but, as</p>

<p>145</p> <p>1 far as traditional meetings, I don't recall.</p> <p>2 Q What was the Day of Silence?</p> <p>3 A The Day of Silence is a day designated</p> <p>4 nationally, not necessarily not a national</p> <p>5 holiday, but it is a designated day where students</p> <p>6 can voluntarily remain silent and, in so doing,</p> <p>7 recognizing the people, LGBTQ people who have been</p> <p>8 either silenced or victims of violence because of</p> <p>9 who they are, and so it is just a day of</p> <p>10 remembrance.</p> <p>11 Q The idea is those people have been</p> <p>12 silenced so we are going to be silent?</p> <p>13 A Yes.</p> <p>14 Q Mr. Lord, was he somebody at these</p> <p>15 meetings who made you feel welcome?</p> <p>16 A Yes, I would say so.</p> <p>17 Q Have you kept up with him at all since you</p> <p>18 left?</p> <p>19 A The only further correspondence that I</p> <p>20 have had is to request transcripts, when I went to</p> <p>21 apply for college.</p> <p>22 Q Any conversation at all with him other</p>	<p>147</p> <p>1 so that I would not have to use the restroom while</p> <p>2 I was there, because I did not have an option, on</p> <p>3 that -- on the football field, you know, in that</p> <p>4 campus; however, there were a few occasions where,</p> <p>5 regardless, I did end up having to use the</p> <p>6 bathroom, and I was forced to leave.</p> <p>7 Q Tell me about those occasions, when you</p> <p>8 say you were forced to leave, what did you do?</p> <p>9 A On one occasion, I had a friend drive me</p> <p>10 down the road to, it is either Lowe's or Home</p> <p>11 Depot that is on the corner, so that I could use</p> <p>12 the bathroom there. On another occasion, I</p> <p>13 believe my mother just picked me up.</p> <p>14 Q When your friend drove you, did you go</p> <p>15 back to the game?</p> <p>16 A I -- I -- we did. I was with a group of</p> <p>17 friends and that friend was the person who was</p> <p>18 driving all of us.</p> <p>19 Q So you left the game and then came back?</p> <p>20 A Yes, after I had used the bathroom</p> <p>21 offsite.</p> <p>22 Q Did you do anything else while you were</p>
<p>146</p> <p>1 than that?</p> <p>2 A Not that I can recall.</p> <p>3 Q Did you feel like he was supportive of you</p> <p>4 as a student and a person in the Gloucester County</p> <p>5 High School?</p> <p>6 A I did.</p> <p>7 Q One of the paragraphs in here talks about</p> <p>8 football games. Did you ever go to any football</p> <p>9 games?</p> <p>10 A I did.</p> <p>11 Q How many?</p> <p>12 A I wouldn't have a number for you.</p> <p>13 Q I mean I guess we are talking three</p> <p>14 seasons, your sophomore year, your junior year,</p> <p>15 your senior year. Did you attend more than one</p> <p>16 game --</p> <p>17 A Yes.</p> <p>18 Q -- each year?</p> <p>19 A Yes.</p> <p>20 Q It says here that you went home early.</p> <p>21 Was that always the case?</p> <p>22 A I tried very -- I tried very hard to plan</p>	<p>148</p> <p>1 out besides go to Lowe's or Home Depot and use the</p> <p>2 restroom?</p> <p>3 A Not that I can recall.</p> <p>4 Q Did you stop and get something to eat,</p> <p>5 anything like that?</p> <p>6 A Not that I can recall.</p> <p>7 Q The allegation is, in December 2014, you</p> <p>8 began hormone therapy. Where did you begin the</p> <p>9 hormone therapy?</p> <p>10 A At a -- it was -- a VCU facility.</p> <p>11 Q Okay. You mentioned a pediatric --</p> <p>12 A Endocrinologist.</p> <p>13 Q -- endocrinologist.</p> <p>14 A Yes, sir.</p> <p>15 Q Do you remember that person's name?</p> <p>16 A I do not.</p> <p>17 Q How did that work in terms of how did you</p> <p>18 do hormone therapy, what is physically involved</p> <p>19 with that?</p> <p>20 A Well, you must first get a recommendation</p> <p>21 from a professional saying that, in fact, you --</p> <p>22 that the person is trans and hormone replacement</p>

<p>149</p> <p>1 therapy is the best practice for having them live 2 happily. 3 Q Who gave you that recommendation? 4 A That would have been Dr. Lisa Griffin. 5 Q Okay. 6 A And then once you produce those or that 7 document to the doctor willing to administer the 8 medication, they will walk you through how do -- 9 it is an injection, subcutaneously meaning in the 10 fat rather than in the muscle, and they walk you 11 through how to administer that injection; and, 12 from that point on, I self-administered an 13 injection. 14 Q How frequently? 15 A Once a week. 16 Q How frequently did you see the pediatric 17 endocrinologist? 18 A In the first year or so, as the process 19 was beginning, fairly often, I don't recall 20 exactly with what frequency but fairly often; and, 21 following that, we haven't been back in -- from 22 the point in which the dosage of my medication was</p>	<p>151</p> <p>1 issued a state ID card in June 2015, which would 2 have been at the end of your sophomore year; is 3 that correct? 4 A Yes, sir. 5 Q Tell me about that process. 6 A I -- I don't really recall. I -- as far 7 as I remember -- I don't remember what 8 supplementary documentation I had to provide to 9 prove that I was permitted to have a male 10 designation on that ID; however, I do recall that 11 there was some kind of supplementary information 12 that I had to provide. I don't recall if it was 13 mailed in or brought up physically, but then, 14 after that point, it was just a matter of going to 15 the DMV and taking the picture and receiving the 16 card. 17 Q So the actual receiving of the card, you 18 remember being at the DMV, having a picture taken, 19 and then handing you a card? 20 A Yes. Well, to clarify, I don't recall if 21 I was handed the card at that time, but I remember 22 I had to be at the DMV for part of that process.</p>
<p>150</p> <p>1 agreed upon and stable, we have not been back. 2 Q Are you still taking it? 3 A Yes. 4 Q How frequently do you take it? 5 A Once a week. 6 Q Still the same? 7 A Yes. 8 Q Is it something that will continue for the 9 rest of your life kind of thing or foreseeable 10 future, or how does that work? 11 A I -- I will take it for as long as I 12 desire, and for my purposes that would probably be 13 for the rest of my life. 14 Q When did you last see the endocrinologist? 15 A I really wouldn't have any way of telling 16 you. 17 Q Approximately, sophomore year, junior 18 year, senior year? 19 A I -- 20 Q Don't recall? 21 A I don't recall. 22 Q In paragraph 74, it talks about the DMV</p>	<p>152</p> <p>1 Q And did anyone accompany you? 2 A My mother. 3 Q Chest reconstruction surgery in June 2016; 4 is that correct? 5 A Yes. 6 Q Who performed? 7 A Dr. Sherie. 8 Q How do you spell Sherie? 9 A S-H-E-R-I-E. 10 Q Was that at VCU? 11 A No. That was not at VCU. 12 Q Where was that? 13 A That was in either Charlotte or 14 Charlottesville, I don't recall -- I have the 15 names mixed up, but it was in North Carolina. 16 Q Okay. Was that a double mastectomy 17 essentially? 18 A Yes. 19 Q What documentation or other information 20 did Dr. Sherie require before she performed that 21 surgery? 22 A As I was a -- I believe, if I am recalling</p>

<p>153</p> <p>1 correctly, I was -- pardon me. I am sorry.</p> <p>2 Do you mind reminding me of the date?</p> <p>3 Q Yes. June of 2016 is what it says.</p> <p>4 A So, yes, so as I was a minor --</p> <p>5 Q You were 16 years old at the time?</p> <p>6 A In June, yes, 16.</p> <p>7 Q Or just 17?</p> <p>8 A 17. Just 17.</p> <p>9 Q I wasn't trying to be tricky. Your</p> <p>10 birthday is in May.</p> <p>11 A I appreciate that.</p> <p>12 As I was a minor, I believe there was some</p> <p>13 degree of parental consent necessary. Barring</p> <p>14 that, I don't think -- or rather, I will say I</p> <p>15 don't recall any other documentation that I had to</p> <p>16 provide beyond parental consent; however, there</p> <p>17 may have been.</p> <p>18 Q Did you meet with Dr. Sherie about why</p> <p>19 this was happening or why you were going to have</p> <p>20 the procedure?</p> <p>21 A I -- I don't -- I don't recall if I had</p> <p>22 any kind of in-person visitation with her before</p>	<p>155</p> <p>1 A I don't recall.</p> <p>2 Q Did you present these documents, any of</p> <p>3 these documents, the ID card or the order from the</p> <p>4 court or the birth certificate at school?</p> <p>5 A I don't recall if I provided the ID or --</p> <p>6 what was -- pardon me -- the first thing you</p> <p>7 mentioned.</p> <p>8 Q The first one was the ID?</p> <p>9 A ID.</p> <p>10 Q Then the second one was the order from the</p> <p>11 court, and the third one is the birth certificate.</p> <p>12 Did you present those?</p> <p>13 A I don't recall if I presented the ID or</p> <p>14 the court order, however, I did provide the birth</p> <p>15 certificate.</p> <p>16 Q You actually went to school with the birth</p> <p>17 certificate?</p> <p>18 A Yes.</p> <p>19 Q Who did you give it to?</p> <p>20 A I don't recall.</p> <p>21 Q Do you remember walking into the front</p> <p>22 office kind of thing, to say I want to speak to</p>
<p>154</p> <p>1 the procedure or if -- in fact, I don't recall if</p> <p>2 it was -- if we spoke over the phone or what have</p> <p>3 you because it was a very far drive.</p> <p>4 It was understood, of course, that she</p> <p>5 recognized that she was performing a double</p> <p>6 mastectomy on a transgender patient, it was</p> <p>7 something her practice was known for doing.</p> <p>8 Q Okay. September 9, 2016, Gloucester</p> <p>9 Circuit Court issued an order. What do you recall</p> <p>10 about the hearing and the order that occurred on</p> <p>11 September 9, 2016? Was there a hearing?</p> <p>12 A Just -- just giving me the dates, I -- it</p> <p>13 is not prompting any recollection of anything. I</p> <p>14 apologize.</p> <p>15 Q Do you remember going to court, the actual</p> <p>16 Gloucester Circuit Court, which would have been in</p> <p>17 Gloucester?</p> <p>18 A Yes. Yes, I do -- I remember, yes.</p> <p>19 Q What do you remember about the hearing?</p> <p>20 A I don't remember much of anything.</p> <p>21 Q Did you speak or did just your lawyer</p> <p>22 speak?</p>	<p>156</p> <p>1 the principal, or did you go to your guidance</p> <p>2 counselor or --</p> <p>3 A I don't recall.</p> <p>4 Q What, if anything, do you remember -- if</p> <p>5 you say that you know that you presented it, what</p> <p>6 do you recall about any aspect of that then?</p> <p>7 A Well, I recall -- I recall recognizing</p> <p>8 that my records had failed to be changed and I</p> <p>9 recall going on more than one occasion to the</p> <p>10 guidance office and asking why my records weren't</p> <p>11 being changed, when my documents had been amended,</p> <p>12 and asking when it would happen, if it would</p> <p>13 happen, and I was at that point told -- I do not</p> <p>14 recall by whom in the guidance office, but I was</p> <p>15 informed that the response was -- the response</p> <p>16 that that person was instructed to give me was</p> <p>17 that we received your request, thank you, which</p> <p>18 I -- which is what I remember about that.</p> <p>19 Q Have you personally ever spoken to any</p> <p>20 members of the Gloucester County School Board?</p> <p>21 A Current or former members?</p> <p>22 Q Either.</p>

<p>157</p> <p>1 A Yes.</p> <p>2 Q Who?</p> <p>3 A Kevin Smith.</p> <p>4 Q Tell me any conversations you ever had</p> <p>5 with Kevin Smith.</p> <p>6 A Kevin Smith was a family friend, he was</p> <p>7 around growing up, here and again as a friend of</p> <p>8 my mother's, I don't -- I cannot recall any</p> <p>9 conversations generally speaking; however, there</p> <p>10 is one conversation that I do recall in which</p> <p>11 Kevin approached myself and my mother and said</p> <p>12 that, since he was a friend of the family, that he</p> <p>13 would certainly recuse himself from the School</p> <p>14 Board's vote.</p> <p>15 Q Well, that's the conversation you</p> <p>16 remember?</p> <p>17 A That's the extent of that conversation I</p> <p>18 remember.</p> <p>19 Q As you said earlier, he then did not --</p> <p>20 A He did not.</p> <p>21 Q -- recuse himself.</p> <p>22 Have you spoken with him since then?</p>	<p>159</p> <p>1 Gavin.</p> <p>2 Q So what do you know about Melinda Penn?</p> <p>3 MR. CORRIGAN: Thank you for the</p> <p>4 clarification.</p> <p>5 A I know that I saw her at some point, but I</p> <p>6 cannot recall --</p> <p>7 Q Is she the pediatric endocrinologist?</p> <p>8 A I don't recall. I don't recall the name</p> <p>9 of that person, so she may or may not be.</p> <p>10 Q Okay. We talked about Lisa Griffin</p> <p>11 previously. Her address here is 14 South Auburn</p> <p>12 Avenue, Richmond, Virginia.</p> <p>13 Is that, when you saw her, is that where</p> <p>14 you saw her, in Richmond?</p> <p>15 A She was in Richmond, I don't know the</p> <p>16 street address.</p> <p>17 Q How many times have you seen her?</p> <p>18 A I don't recall exactly how many times.</p> <p>19 Q Well, less than ten?</p> <p>20 A I -- I don't remember.</p> <p>21 Q I am just trying to get a magnitude. It</p> <p>22 could be once or it could be 200 times.</p>
<p>158</p> <p>1 A I have not.</p> <p>2 Q Have you had any communications with him?</p> <p>3 A I have not.</p> <p>4 Q Other than the fact that Kevin Smith was a</p> <p>5 family friend and the conversation about him</p> <p>6 recusing himself, have you had any other</p> <p>7 conversations with any members of the Gloucester</p> <p>8 County School Board, past or present?</p> <p>9 A Not that I can recall.</p> <p>10 Q Any other communication with any other</p> <p>11 members of the Gloucester County School Board,</p> <p>12 email, text, anything of that nature?</p> <p>13 A Not that I can recall.</p> <p>14 Q One of the physicians you mentioned in</p> <p>15 your interrogatory answers is Melinda Penn at</p> <p>16 Children's Hospital of the King's Daughters. Who</p> <p>17 is that person?</p> <p>18 A So Melinda Penn --</p> <p>19 MR. BLOCK: I am going to object. To</p> <p>20 clarify, that's the list of their current</p> <p>21 locations, so she is currently at that hospital,</p> <p>22 but that's not where she was when she treated</p>	<p>160</p> <p>1 A Right.</p> <p>2 Q You have no ability to estimate between</p> <p>3 one and 200 how many times you saw Lisa Griffin?</p> <p>4 A I did not see her on a long-term ongoing</p> <p>5 basis, so I assume 200 would be a high number;</p> <p>6 however, I also cannot estimate if it was 10 times</p> <p>7 or 50 times.</p> <p>8 Q Okay.</p> <p>9 A I just don't recall the span of time that</p> <p>10 I saw her for.</p> <p>11 Q All right. Eva Abel, Chesapeake</p> <p>12 Counseling Associates, do you remember seeing her?</p> <p>13 A Yes.</p> <p>14 Q How often have you seen her?</p> <p>15 A She was my -- I had fairly weekly --</p> <p>16 pardon me. Either weekly or monthly.</p> <p>17 So either weekly or monthly, I can't</p> <p>18 recall which of the two visits with her for -- I</p> <p>19 don't recall the duration, but it was -- it was</p> <p>20 quite a while.</p> <p>21 Q During high school?</p> <p>22 A During high school and as well after.</p>

<p>161</p> <p>1 Q And after, but not before high school?</p> <p>2 A No, not before high school.</p> <p>3 Q Okay. Are you still seeing her?</p> <p>4 A I am not.</p> <p>5 Q Are you currently seeing anyone? When I</p> <p>6 say anyone, I mean are you seeing any</p> <p>7 psychologists, psychiatrists, counselor, Licensed</p> <p>8 Clinical Social Worker, anybody with respect to</p> <p>9 gender dysphoria or your transgender status or</p> <p>10 anything of that nature?</p> <p>11 A I am not currently seeing anybody with</p> <p>12 respect to my gender identity. I have a general</p> <p>13 care physician who prescribes my testosterone, but</p> <p>14 my reason for care with him is not gender related.</p> <p>15 Q Who is that physician?</p> <p>16 A His name is Jess Pinder.</p> <p>17 Q P-I-N-D-E-R?</p> <p>18 A Yes, sir.</p> <p>19 Q Where is he located?</p> <p>20 A One Medical on Shattuck Avenue in Berkley,</p> <p>21 California.</p> <p>22 Q One of your interrogatory answers says</p>	<p>163</p> <p>1 A I don't. I have not asked him.</p> <p>2 Q How about any upper classmen or upper</p> <p>3 classpeople at Gloucester High School at current</p> <p>4 who are transgender, do you know of any?</p> <p>5 A Current – current right now?</p> <p>6 Q Yes.</p> <p>7 A I do not, however, a friend of mine is a</p> <p>8 transgender student who graduated last year, well,</p> <p>9 last school year, who was transgender while at</p> <p>10 Gloucester High School or is trans and went there.</p> <p>11 Q Gotcha. So there is a student who</p> <p>12 graduated in June of '18, a year after you --</p> <p>13 A Yes.</p> <p>14 Q -- who is transgender?</p> <p>15 A Yes.</p> <p>16 Q What restroom did that student use, if you</p> <p>17 know?</p> <p>18 A He said that he would either avoid them</p> <p>19 altogether or use the nurse's office or single</p> <p>20 stall restrooms but generally preferred to avoid</p> <p>21 them.</p> <p>22 Q Do you know whether that student ever</p>
<p>162</p> <p>1 someone named Thomas Aberli, principal, Atherton</p> <p>2 High School, Louisville, Kentucky, is a witness</p> <p>3 with knowledge about his experience as an</p> <p>4 administrator with policies that allow boys and</p> <p>5 girls who are transgender to use the same restroom</p> <p>6 as other boys and girls.</p> <p>7 Do you know anything about Mr. Aberli?</p> <p>8 A I -- I don't recall having spoken to him.</p> <p>9 Q Do you know of any current students at</p> <p>10 Gloucester High School who are transgender?</p> <p>11 A Yes.</p> <p>12 Q What do you know? Not who, but what.</p> <p>13 A Okay. So there -- there is at least -- I</p> <p>14 won't speak to hearsay, but I know for certain</p> <p>15 that there is one student who is a freshman this</p> <p>16 year who identifies as a boy and has had moderate</p> <p>17 success with requesting that his teachers refer to</p> <p>18 him with male pronouns and with the name he</p> <p>19 prefers, however, he has not made any kind of</p> <p>20 greater administrative push.</p> <p>21 Q Do you have any idea what that child is</p> <p>22 doing with respect to restroom use?</p>	<p>164</p> <p>1 raised the issue beyond just using those in terms</p> <p>2 of trying to get a change in the rule or address</p> <p>3 the rule?</p> <p>4 A He did not because he did not have</p> <p>5 parental support.</p> <p>6 Q Was he a transgender boy?</p> <p>7 A Yes.</p> <p>8 Q Was he called by his male name and male</p> <p>9 pronouns at school, to your knowledge?</p> <p>10 A To my knowledge, that was something that</p> <p>11 he had discussed with teachers and arranged on his</p> <p>12 own, and that is what seemed to be the status quo.</p> <p>13 Q So he did that without his parental</p> <p>14 support was your understanding or not?</p> <p>15 A I don't have a knowledge of what degree</p> <p>16 his parents were involved in that.</p> <p>17 Q Okay. Any other transgender students that</p> <p>18 you are aware of from the time you approached the</p> <p>19 school in late summer of 2014 until the present?</p> <p>20 A Yes. I can think of three off the top of</p> <p>21 my head.</p> <p>22 Q Three others?</p>

<p>165</p> <p>1 A Yes. There were two additional</p> <p>2 transgender boys and one transgender girl.</p> <p>3 Q Did they graduate?</p> <p>4 A The two other boys were one grade below me</p> <p>5 and so graduated when -- graduated this previous</p> <p>6 year.</p> <p>7 Q Right.</p> <p>8 A And then the girl was in my grade, and she</p> <p>9 graduated with our class.</p> <p>10 Q The girl, did she -- that graduated with</p> <p>11 your class, what was her restroom arrangements, if</p> <p>12 you understood it?</p> <p>13 A She had even fewer opportunities to</p> <p>14 express herself truly, as her parents were even</p> <p>15 more opposed to who she is, and so she, I believe,</p> <p>16 as far as I was aware, just sort of accepted the</p> <p>17 men's restrooms or avoided them at all costs.</p> <p>18 Q So she was identifying female and wanted</p> <p>19 to use the girls' restrooms but either used the</p> <p>20 boys' restrooms or -- Did she use the single</p> <p>21 stall?</p> <p>22 MR. BLOCK: I am just going to object to</p>	<p>167</p> <p>1 A I don't know.</p> <p>2 Q The two transgender boys you identified,</p> <p>3 in addition to the ones we have previously talked</p> <p>4 about, graduated last year is your understanding?</p> <p>5 A Yes.</p> <p>6 Q What was your understanding of their</p> <p>7 restroom use?</p> <p>8 A I did not know.</p> <p>9 Q Do you know them?</p> <p>10 A They were not close personal friends,</p> <p>11 however, they were both close personal friends of</p> <p>12 one of my close friends, and so there were</p> <p>13 environments in which we had hung out together and</p> <p>14 had become acquainted on a more than -- on a more</p> <p>15 than peer basis.</p> <p>16 Q So did you ever ask them about their</p> <p>17 restroom use?</p> <p>18 A No.</p> <p>19 MR. CORRIGAN: I would like to take a</p> <p>20 minute. I am going to talk to Tracey a little</p> <p>21 bit.</p> <p>22 (Recess from 1:53 p.m. to 2:01 p.m.)</p>
<p>166</p> <p>1 characterizing the testimony as her wanting to use</p> <p>2 the girls' restrooms.</p> <p>3 MR. CORRIGAN: Okay. Go ahead.</p> <p>4 A I -- she was not able to socially</p> <p>5 transition, and so she was not able to reveal to</p> <p>6 the greater community that she was a girl, and so</p> <p>7 that was knowledge only within people that were</p> <p>8 close to her or in her circle.</p> <p>9 Q So she had not approached the schools to</p> <p>10 have her pronouns changed and her name changed?</p> <p>11 A Not that I was aware.</p> <p>12 Q But she graduated with you?</p> <p>13 A Yes.</p> <p>14 Q In terms of the use of the restroom, your</p> <p>15 understanding was she was using the boys' room or</p> <p>16 avoiding it?</p> <p>17 A She told me that she at all possible costs</p> <p>18 avoided using them; however, in emergencies, she</p> <p>19 would go to the boys' room.</p> <p>20 Q Did she ever go to the single stalls --</p> <p>21 A I have no knowledge.</p> <p>22 Q -- to your knowledge? You don't know?</p>	<p>168</p> <p>1 MR. CORRIGAN: No further questions.</p> <p>2 MR. BLOCK: I have a couple questions.</p> <p>3 EXAMINATION BY COUNSEL FOR THE PLAINTIFF</p> <p>4 BY MR. BLOCK:</p> <p>5 Q So do you remember when Mr. Corrigan was</p> <p>6 asking you about the construction of the</p> <p>7 additional single user restrooms?</p> <p>8 A Yes.</p> <p>9 Q Do you remember that you discussed how,</p> <p>10 even though the school had said they were ready at</p> <p>11 a particular time, they were not actually ready?</p> <p>12 A Yes.</p> <p>13 Q Is there anything you want to say about</p> <p>14 what occurred during that week when the policy was</p> <p>15 in effect but the restrooms weren't ready for you?</p> <p>16 A Yes. There was one occasion where I</p> <p>17 stayed after for an event, I don't recall what</p> <p>18 event, but it was -- it was -- the -- it was</p> <p>19 before these restrooms were finished being</p> <p>20 constructed and, therefore, my only option was the</p> <p>21 nurse's restroom, which is locked after school</p> <p>22 hours, and I recognized that I had to go to the</p>

<p>169</p> <p>1 bathroom and it would be a while before my parents 2 could have picked me up, and by that time it would 3 have been an emergency, and so I was very 4 distraught, really just totally devastated that I 5 had nowhere to use the bathroom in my own school, 6 and so I broke down really bad and went sobbing to 7 the library, where I knew I had friends, and one 8 of the librarians actually drove me home so that I 9 could use the bathroom.</p> <p>10 Q Do you remember, when Mr. Corrigan asked 11 you about what memories you have with respect to 12 bringing your birth certificate to school?</p> <p>13 A Yes.</p> <p>14 Q And you testified about your memory 15 regarding checking up on your school records; is 16 that right?</p> <p>17 A Yes.</p> <p>18 Q Do you have a specific memory of who 19 handed the birth certificate in?</p> <p>20 A If I -- if I may clarify, I don't recall 21 exactly who, if it was myself or my mother, but I 22 do remember it was, in fact, handed in and that I</p>	<p>171</p> <p>1 ahead.</p> <p>2 A He expressed in part that the school did 3 not feel like an environment where he would be 4 safe transitioning in, he also expressed that it 5 would have been difficult just regarding the 6 situation he was in privately, I didn't inquire as 7 to the details, his family were less on board than 8 he would have liked, but he had expressed that 9 there was anxiety over not feeling like he was 10 safe to transition within the school and 11 especially not having a bathroom, if he did.</p> <p>12 Q Do you recall Mr. Corrigan asking you 13 about check-in meetings you would have with 14 Miss Durr or Mr. Lord?</p> <p>15 A I do.</p> <p>16 Q And during those meetings, did you report 17 any distress that you were experiencing as a 18 result of the school's restroom policies?</p> <p>19 A I believe I did.</p> <p>20 Q And can you speak to whatever occasions 21 you did make that report?</p> <p>22 A There was one occasion in which I spoke to</p>
<p>170</p> <p>1 was the one who checked up after that fact.</p> <p>2 Q Do you remember talking to Mr. Corrigan 3 about other students at Gloucester High School who 4 were transgender?</p> <p>5 A Yes.</p> <p>6 Q Do you remember saying that one of the 7 students you discussed, the transgender girl, had 8 not socially transitioned?</p> <p>9 A Yes.</p> <p>10 Q Of the other students that you discussed 11 with Mr. Corrigan, were there any other students 12 who were transgender but had not socially 13 transitioned?</p> <p>14 A Yes.</p> <p>15 Q Who was that?</p> <p>16 A One other student had not socially 17 transitioned and was presenting himself as a boy 18 only to his friend group, however, not to teachers 19 or administrators.</p> <p>20 Q Did he tell you why he was not 21 transitioning more broadly?</p> <p>22 MR. CORRIGAN: I object to the form. Go</p>	<p>172</p> <p>1 Tiffany Durr, where I had expressed that I was 2 experiencing pain because of the situation at the 3 school; however, I -- there was also a tendency in 4 following meetings, for me to underreport the 5 trauma that I was going through or examples of 6 bullying or harassment, because I felt that it was 7 not something that -- they could not resolve those 8 issues, they could not give me the ability to use 9 the boys' bathroom, and so I failed to report much 10 of what I was experiencing because I did not have 11 faith in the school system to protect me from 12 those things that I was worried about.</p> <p>13 MR. BLOCK: No further questions from me.</p> <p>14 MR. CORRIGAN: I have a question.</p> <p>15 EXAMINATION BY COUNSEL FOR THE DEFENDANT 16 BY MR. CORRIGAN:</p> <p>17 Q With respect to Miss Durr, can you tell me 18 approximately when you think you spoke with her?</p> <p>19 A It -- it would have been earlier in the -- 20 the -- earlier in that school year or perhaps 21 towards the middle of my sophomore year, somewhere 22 in that range.</p>

<p>173</p> <p>1 Q Okay.</p> <p>2 A It was earlier.</p> <p>3 Q So earlier as in could have been in the</p> <p>4 fall or in the early part of the spring semester?</p> <p>5 A Correct, that would be where I would</p> <p>6 estimate it.</p> <p>7 Q And do you remember where the conversation</p> <p>8 took place?</p> <p>9 A I -- I don't, but typically those</p> <p>10 conversations were had in the office of the</p> <p>11 person; however, I cannot recall it explicitly</p> <p>12 that it was or was not.</p> <p>13 Q Do you recall what you said to her?</p> <p>14 A I -- I don't recall specifically phrases</p> <p>15 that were used, I do, however, recall expressing</p> <p>16 general distress about the policy and how it was</p> <p>17 affecting me negatively.</p> <p>18 Q When you say the policy, what policy?</p> <p>19 A Pardon. The discriminatory policy that</p> <p>20 the School Board had put in place.</p> <p>21 Q With respect to the restrooms?</p> <p>22 A Yes, sir.</p>	<p>175</p> <p>1 policy; is that correct?</p> <p>2 A I don't recall.</p> <p>3 Q You don't recall one way or the other?</p> <p>4 A Correct.</p> <p>5 Q What did Miss Durr say to you after you</p> <p>6 expressed these concerns?</p> <p>7 A I don't recall.</p> <p>8 MR. CORRIGAN: That's all the questions.</p> <p>9 MR. BLOCK: Same here.</p> <p>10 You will have an opportunity to review the</p> <p>11 transcript and to make any corrections, if</p> <p>12 anything is incorrect.</p> <p>13 MR. GRIMM: Okay.</p> <p>14 Thank you very much.</p> <p>15 MR. CORRIGAN: Thank you.</p> <p>16</p> <p>17 (Off the record at 2:10 p.m.)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p>174</p> <p>1 Q Did you use the word pain earlier, when</p> <p>2 you were talking to Mr. Block, what pain were you</p> <p>3 talking about?</p> <p>4 A Can you --</p> <p>5 Q You said to him that you spoke to her one</p> <p>6 time and told her about the pain --</p> <p>7 A Right.</p> <p>8 Q -- because of the situation. What does</p> <p>9 that mean?</p> <p>10 A Mental anguish, I mean pain being</p> <p>11 emotional distress--</p> <p>12 Q So you weren't talking about physical like</p> <p>13 your stomach hurt or something like that?</p> <p>14 A Yes, sir, pain being emotional distress</p> <p>15 and trauma.</p> <p>16 Q Did you ever have any conversations with</p> <p>17 Miss Durr or Mr. Lord or anyone else in counseling</p> <p>18 about emotional distress and trauma that you were</p> <p>19 having that was unrelated to the restrooms?</p> <p>20 A I don't recall.</p> <p>21 Q To the best of your recollection, you</p> <p>22 never spoke with Mr. Lord about the restroom</p>	<p>176</p> <p>1 ACKNOWLEDGEMENT OF DEPONENT</p> <p>2 I, GAVIN GRIMM, do hereby acknowledge</p> <p>3 that I have read and examined the foregoing</p> <p>4 testimony, and the same is a true, correct and</p> <p>5 complete transcription of the testimony given by</p> <p>6 me and any corrections appear on the attached</p> <p>7 Errata sheet signed by me.</p> <p>8</p> <p>9 _____</p> <p>10 (DATE) (SIGNATURE)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>

Transcript of Gavin Grimm
Conducted on October 19, 2018

45 (177 to 180)

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1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2 I, LESLIE D. ETHEREDGE, Registered Merit

3 Reporter, Certified Court Reporter and Notary

4 Public, the officer before whom the foregoing

5 deposition of GAVIN GRIMM was taken, do hereby

6 certify that the foregoing transcript of the

7 deposition is true and correct to the best of my

8 ability; that said testimony was taken by me

9 stenographically and thereafter reduced to

10 typewriting under my direction; that reading and

11 signing was requested; and that I am neither

12 counsel for, related to, nor employed by any of

13 the parties to this case and have no interest,

14 financial or otherwise, in its outcome.

15 IN WITNESS WHEREOF, I have hereunto set my

16 hand this 5th day of November, 2018.

17 

18 _____
19 LESLIE D. ETHEREDGE, Notary Public in

20 and for the Commonwealth of Virginia

21 Registration No: 116406

22 My commission expires February 28, 2019